

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON IMMIGRATION

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April 4, 2013
Start: 1:25 p.m.
Recess: 3:06 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)

Kyle Bragg
Secretary-Treasurer
Local 32 BJ

Chris Fleming
Senior Manager of Corporate Partnerships
Immigration Equality

Valeria Treves
New Immigrant Community Empowerment

Samuel Palmer Simon
New York Legal Assistance Group

Annie Wang
American Immigration Lawyers Association

Jojo Annobil
Legal Aid Society

Freddie Castoblanco
Concerned Citizen

Amanda Lugg
African Services Committee

Jessica Orozco
Hispanic Federation

Luiz Nava
LGBT Community Center

Vanessa Ramos
Committee for Hispanic Children and Families

Sabrina Fong
MinKwon Center for Community Action

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

Angela Fernandez
Northern Manhattan Coalition for Immigrant Rights

Carmel Rose
Emerald Isle Immigration Center

Luna Ranjit
Adhikaar

Mubasha Ahmed
New York Immigration Coalition

CHAIRPERSON DROMM: Good afternoon.

My name is Daniel Dromm, and I am chair of the New York City Council's Committee on Immigration. I am very proud to say we have been joined by Council Member Charles Barron from Brooklyn.

Thank you for being here. Today the Immigration Committee will hear a pre-considered resolution calling on Congress to pass and President Obama to sign a comprehensive immigration reform bill in 2013. New York State is home to the second largest immigrant population in the nation. Here in New York City immigrants are an integral part of the city's fabric. As such, it is important that a comprehensive immigration reform bill is passed so that we can protect immigrants in New York and throughout the nation. Unscrupulous employers must be prohibited from preying on immigrant workers that unlawful employment practices not only have a negative effect on immigrant workers, but on all workers. We must ensure that talented and motivated undocumented students have the financial assistance necessary to allow them to pursue higher education. Family reunification, one of the principles of

1 immigration law, must be fully recognized and - -
2 U.S. citizen married to an immigrant of the same
3 sex to sponsor his or her spouse. Clearly, there
4 is a lot that needs to be done. The issues I just
5 mentioned are only the tip of the iceberg in terms
6 of immigration reform and cover just some of the
7 issues that I encounter on a daily basis in New
8 York City. There are many different ideas out
9 there about what will make the best comprehensive
10 immigration reform bill. Thus far a group of U.S.
11 Senators and President Barack Obama each proposed
12 a comprehensive immigration reform framework and
13 we anxiously await legislation to be introduced.
14 I look forward to hearing testimony this afternoon
15 from advocates, community based organization and
16 legal practitioners to make sure that in our call
17 for a comprehensive immigration reform bill we
18 take into account the diverse needs of immigrant
19 New Yorkers. I want to make sure that the federal
20 government considers legislation that is truly,
21 truly inclusive. Before going any further I have
22 introduced my committee members who are here with
23 me already, and since we anticipate a hearing with
24 a lot of testimony today we ask that you keep your
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2 testimony to two minutes, and we are going to use
3 the clock. I would like to thank everyone for
4 attending this afternoon's hearing, and now I'd
5 like to call up the first pane. I'd like to call
6 up Kyle Bragg from Local 32 BJ. I'd like to call
7 up Chris Fleming from Immigration Equality, and I
8 like to call Valeria Treves from New Immigrant
9 Community Empowerment. Can you just turn that mic
10 on? Hit that red button behind it I think.
11 Sergeant?

12 KYLE BRAGG: Thank you again and
13 good afternoon. Again, I am Kyle Bragg. I am
14 secretary-treasurer of SEIU 32 BJ. First of all,
15 I'd like to thank Chairman Dromm and the committee
16 for allowing me to speak on the need of common
17 sense immigration reform. I am here today to send
18 a message not only to City Council but to the
19 Congress and to the White House. The message is
20 we need common sense and comprehensive immigration
21 reform now. Working families have suffered far
22 too long at the hands of a broken immigration
23 system that divides our strength, exploits our
24 workers and fails to live up to our values as a
25 nation of immigrations. This is just the

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2 beginning of a series of events that labor and all
3 the partners in immigration coalition will be
4 holding this month. Today we ask the City Council
5 Immigration Committee to approve a resolution
6 calling on Congress to pass and President Obama to
7 sign a comprehensive reform bill this year. On
8 Saturday, 32 BJ SEIU and others expect to have up
9 to 10,000 people at a noon rally in Liberty State
10 Park in New Jersey in Jersey City to tell Congress
11 the time is now for common sense immigration
12 reform. On April 4th, tens of thousands of people
13 will join and coverage on the west lawn of the
14 Capitol to send a message to Congress and to the
15 President that now is the time to pass common
16 sense immigration reform for the good of our
17 communities, workers, our economy and our national
18 values. This issue is not just about immigrants.
19 It is a civil rights fight, a fight against a two-
20 tiered society with undocumented immigrants as a
21 second class people. We are encouraged by reports
22 that there has been a deal on the guest worker
23 provision of an immigration reform bill, but much
24 remains to be done. A road map to common sense
25 immigration reform must include these things: a

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2 roadmap to citizenship so hardworking immigrants
3 who aspire to become citizens are not relegated to
4 second class status--we want to send immigrants a
5 clear message that they can eventually become
6 citizens if they want to, a plan that builds the
7 strength and unity of working people, reduces the
8 backlog of immigration cases and keeps the economy
9 strong, a plan that prioritizes families and
10 guarantees the same rights, obligations and basic
11 fairness for all workers no matter where they come
12 from. Public support for smart comprehensive
13 reform is at an all-time high. The American
14 people want and deserve a real and lasting
15 solution. It is now up to Congress to follow the
16 lead of the voters and President Obama and pass
17 common sense immigration reform this year in 2013.
18 Thank you.

19 CHAIRPERSON DROMM: Thank you, and
20 next, Mr. Fleming?

21 CHRIS FLEMING: Hi, Chris Fleming
22 from Immigration Equality. We applaud the New
23 York City Council Committee on Immigration for
24 convening this hearing today and hope that the
25 U.S. Senate and U.S. House of Representatives will

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2 move forward with comprehensive immigration reform
3 or CIR that is truly worthy of American values.
4 Every year, immigration equality speaks with
5 thousands of foreign nationals, most of whom have
6 been failed by our current immigration system. We
7 heard from foreign nations who have invested
8 thousands of dollars in the U.S. economy only to
9 have an investment visa denied because there was
10 not enough risk involved. We hear from foreign
11 nationals who have been waiting in line for a
12 family based green card while waiting for years to
13 be eligible to apply. We hear from thousands of
14 LGBT spouses and partners of U.S. citizens and
15 green card holders who cannot get it on the visa
16 line all but because their relationships are given
17 no value under our current immigration system. We
18 hear from LGBT people who fled their countries in
19 fear and who are now stuck in permanent limbo
20 status of withholding of removal because they had
21 no idea that sexual orientation or gender identity
22 could be a ground for asylum in the U.S. and so
23 missed arbitrary one year filing deadline. We
24 hear from LGBT detainees who live in daily fear of
25 abuse, sexual assault and lack of medical care in

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2 immigration detention simply because of their
3 gender identity or sexual orientation. The
4 following things must be included in comprehensive
5 immigration reform: the uniting American families
6 act, any verified program or biometric
7 identification card that CIR implements must not
8 discriminate against transgender individuals. CIR
9 must repeal the arbitrary one year filing deadline
10 for asylum seekers and it must reduce mandatory
11 detention and provide greater protections for
12 vulnerable detainees. Thank you.

13 CHAIRPERSON DROMM: Thank you.

14 Valeria Treves, please.

15 VALERIA TREVES: Hello. Thank you
16 very much. My name is Valeria Treves. I am the
17 executive director of New Immigrant Community
18 Empowerment or NICE. NICE is an organization
19 dedicated to immigrant workers' rights, and our
20 members are primarily day laborers and domestic
21 workers. These are some of the most vulnerable
22 workers and workers that we want to ensure are
23 included in immigration reform. NICE is an active
24 member of the New Yorkers for real immigration
25 reform campaign, and also the campaigns at the

1 national level of the National Day Laborer
2 Organizing Network and the National Domestic
3 Workers Alliance.
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5 CHAIRPERSON DROMM: That is not for
6 you. Can you reset the clock please?

7 VALERIA TREVES: Thank you, Danny.
8 So thank you for this space to address you and I
9 really want to bring forward the concerns of day
10 laborers of domestic workers in what would be a
11 comprehensive package for immigration reform to
12 make sure that these workers are not excluded from
13 the process. First of all, the legalization
14 program must be broad, generous and ample enough
15 to include all of these workers. Normally known
16 as the informal sector workers, but we are now
17 rebranding them as essential sector workers
18 because our economy cannot move forward without
19 them. The legalization program must not be tied
20 to work requirements, but be only about physical
21 presence. Previous bargains in the Senate have
22 required workers to show continuous employment.
23 As you can see, this would be impossible for a day
24 laborer to prove because they are going from job
25 to job and they are very exploitative conditions.

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2 So again the legalization program must be based on
3 physical presence in this country and not be tied
4 to any kind of work requirements that opens the
5 door for exploitation. The legalization program
6 does not have excessive fees or excessive back
7 taxes and fines. It needs to be affordable and it
8 needs to include all people that want to get into
9 a legalization program to be able to afford it.
10 It is very hard to do back taxes especially when
11 you are a low income person that is earning cash
12 off the books, so the whole notion of the back
13 taxes must actually be rejected and people who
14 have been paying taxes fine, but those who have
15 not should start paying taxes when they enter into
16 the legalization program. We are also concerned
17 about fraud from the part of tax of tax providers
18 who are already asking our community members to
19 pay excessive fees and fines to get their taxes
20 done from ten, 15 years ago, which unless you are
21 a really good tax preparer, it is almost
22 impossible to do. Finally, we need to minimize
23 the criminal disqualifications in any kind of
24 legalization program. unfortunately our community
25 members have been detained often for no fault of

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2 their own and we cannot exclude sectors of our
3 community that have a criminal or a court record
4 from this important legalization program that is
5 going to be a once in a lifetime experience for
6 them. Another important point I'd like to make is
7 that an immigration bill should include
8 affirmative protections of workers' rights. We do
9 not want an e-verify program, but if we have to
10 have one, it has to safeguard against this
11 discriminatory [phonetic] practices, so it is not
12 just some people that are being asked for their
13 ids, and there must be some due process protection
14 in order to safeguard people's rights. Just ten
15 seconds more. There must be affirmative
16 protections, such as whistleblower protections.
17 Those are included in the power act [phonetic] so
18 workers can organization and elevate their
19 standards. We have to improve access the - - and
20 we have to create protections for workers that are
21 adjusting their status. For example, they
22 shouldn't lose seniority when they are adjusting
23 their status. They shouldn't lose their benefits
24 when they are adjusting from a no match social
25 security number to a real society security number.

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2 In terms of future flows, we have discussed this a
3 little bit. Aside from the conversation about the
4 numbers of visas for future flows let's talk about
5 the structures of those visas. Workers should not
6 be tied to a single employer. They should be able
7 to switch employers. This will cut down on
8 exploitation, and they should have a - - green
9 card and a citizenship. No more - - programs or
10 guest worker programs of the past. These need to
11 be workers that come in and have full access to
12 citizenship and green cards. We need to regulate
13 foreign recruiters and make sure there is no
14 abused when people are recruited in, and we need
15 to just ramp up the enforcement of our labor laws
16 as they are. Thank you.

17 CHAIRPERSON DROMM: Okay. Thank
18 you. Let me just start off maybe with Mr. Bragg.
19 Over the weekend there was some discussions about
20 creation of the new visa called the W visa for low
21 skilled workers. Do you have further information
22 on that proposal, and are you in support of it or
23 if not, why?

24 KYLE BRAGG: I am not in the
25 position now to respond to that question. I'd

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like to get back to you on that.

CHAIRPERSON DROMM: I'd like to know particularly a union like yours, which would have many--

KYLE BRAGG: [interposing] We are a very diverse union. We are a union of many immigrants. We have people from over--our membership is from over 50 countries and speaks over 37 different languages, so common sense immigration reform is very important to our organization. It is very important to our members. It is very important to those members and their families that live in the communities that are most greatly impacted by the immigration reform, and so whatever best protects and leads to a pathway to citizenship gives workers the right to be here and work and not discriminated against and come out of the shadows. That is what we are in favor of.

CHAIRPERSON DROMM: Alright. Fair enough. Maybe if we can get you to just follow up with me specifically on that W visa, I would really like to know more about that as well.

KYLE BRAGG: Yes, sir, Chairman.

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Thank you so much for having us.

CHAIRPERSON DROMM: I guess for Immigration Equality or for anybody on the panel actually can we have truly comprehensive immigration reform without including everybody? Is it then not comprehensive immigration reform and just immigration reform if we don't include bi-national couples, LGBT people as well?

CHRIS FLEMING: Immigration Equality's stance on that is probably definitely most clear in the affirmative. We believe as Congressman Jerry Nadler [phonetic] has said in the past that immigration reform is not comprehensive unless it includes all families. Same sex couples have been routinely discriminated against in U.S. immigration law. Originally people who were homosexual were barred as sexual deviants and not allowed to enter the country at all. After that, the HIV travel ban was effectively a ban on homosexual men entering the country. There is a pretty clear history of discrimination, and it is time for our immigration laws to recognize that families are families.

KYLE BRAGG: Just simply put an

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2 injustice of one is an injustice to all, so
3 everyone should be included.

4 CHAIRPERSON DROMM: Unfortunately
5 it has been a part of--it has been left out of the
6 national discussion from some of the things that I
7 am beginning to hear from the eight senators who
8 are working on this bill, and it is an issue of
9 deep concern to me, and I feel that if we don't
10 include it in our ask we certainly will never see
11 it, and that is why I think it is so vitally
12 important that we all continue to raise our voices
13 on this issue because I don't see how we can have
14 a comprehensive immigration reform bill unless it
15 is truly comprehensive and inclusive. I just want
16 to maybe--you might know approximately how many
17 bi-national same sex couples in the United States
18 would the law currently affect and how many in New
19 York?

20 CHRIS FLEMING: Sure. I can give
21 you the national number, not the New York number
22 right now. The 2000 decennial census showed
23 36,000 same sex bi-national couples living in the
24 U.S. Let's see. That number is pretty miniscule
25 compared to the 1,062,040 individuals who obtained

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2 lawful permanent resident status in the United
3 States. If every permanent partner currently in
4 the U.S. were granted lawful permanent partner
5 residence in the U.S., those applications would
6 account for 0.03 percent of all grants of lawful
7 permanent residents, so while it is very, very
8 important to those families, it is a very small
9 portion of the larger immigration pool.

10 CHAIRPERSON DROMM: Some might say
11 that they could apply for asylum status. What is
12 the difference between applying for asylum status
13 and being included in a comprehensive immigration
14 reform?

15 CHRIS FLEMING: Sure. So as you
16 said, Council Member Dromm, the backbone of our
17 immigration system is family ties. Our
18 government has recognized that family ties
19 transcend national borders and has allowed U.S.
20 citizens and permanent residents to sponsor our
21 partner for a green card. Asylum requires that
22 people entering the country file within one year
23 unless they can show changed or extraordinary
24 circumstances, and for many people in
25 relationships they have already passed that one

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year deadline.

CHAIRPERSON DROMM: And from my personal experience of students who have returned to me who I have taught in the public school system where I was a teacher for 25 years, they have been here since they were three, four, five years old, do not actually realize that they are gay, lesbian, bisexual and/or transgender until they are 16, maybe 17 or even later and then have gone well beyond that one year time, and then have difficult even getting the asylum status unless it is handled by a person who really understands and knows these issues well, so that is why I also believe that it is very important for the LGBT community to have these provisions included in comprehensive immigration reform. Valeria, I know you had pointed out some issues of things that you don't want to see in the comprehensive immigration reform. Can you just highlight those again for us? The cautions that we need to see--some of the things that we have been hearing are things that you highlighted in your testimony, but things that we certainly might have concerns about. Can you just highlight those again for us?

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2 VALERIA TREVES: One important
3 thing has to be the last reform that we had in
4 1986 for example was based on physical presence.
5 You had to show that you were physically present
6 in this country. The talk right now is around
7 work requirements, and then the last Senate bill
8 that came out in 2007 actually required workers to
9 prove continuous employment while they were in the
10 United States in order to be able to apply to
11 enter the legalization program. Now a lot of
12 informal sector workers have very informal type
13 jobs, and will not be able to show this kind of
14 work requirement. Also, we are concerned about--
15 this program is going to have a first legalization
16 phase, and then you are in a provisional status
17 for eight years, which we don't want. We would
18 rather people go from not having status to getting
19 a green card because while they are in that
20 provisional status, they really don't have the
21 civil rights and political rights that are
22 afforded to the rest of us, so we would not want
23 that, but if you are going to have that, there
24 should be no work requirement within that
25 provisional status either. I mean when you look

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2 at what happened with DACA and what happens with
3 TPS the deferred action for youth and then TPS,
4 people have two year work permits. This opens the
5 door to a lot of exploitation when your stay in
6 this country is tied to your employer, so really
7 the legalization process and path to citizenship
8 should be about your physical presence in this
9 country and not tied to your employer in any way.
10 We also don't want excessive fees. That is going
11 to make things very difficult. This whole talk
12 about back taxes is really difficult for a lot of
13 people to do, and we want to really really
14 incredibly minimize the criminal disqualifications
15 that would leave a lot of people out. For
16 example, a lot of people in my community are
17 forced to use fake social security numbers in
18 order to secure employment. Now if we are leaving
19 out anybody that has ever used a fake social
20 security number, it is not a comprehensive bill.
21 That is a lot of thousands of workers that have
22 been forced to do that. A lot of people have
23 already been flagged by immigration because when
24 they cross they got caught by immigration
25 enforcement. Those people have a record with

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2 immigration enforcement. They should not be
3 excluded from the legalization bill.

4 CHAIRPERSON DROMM: Thank you. I
5 just want to acknowledge that we have been joined
6 by Council Member Mathieu Eugene from Brooklyn as
7 well, and also to take a little commercial break
8 to say that in regard to voting rights, which you
9 mentioned as well, another piece of legislation
10 that I have before the Council which would allow
11 those legally here who hold a green card or who
12 have a student visa at this point the right to
13 vote in municipal elections, and I am proud to say
14 that we have 28 sponsors in the City Council. If
15 we can get six more, we will have a veto proof
16 majority, which would enable approximately a
17 million plus immigrants legally here to vote in
18 municipal elections, so I am going to be doing a
19 press conference on that shortly, and we will
20 notify all of the organizations of that. I just
21 think it would be incredibly powerful for
22 immigrant communities to have that right to vote.
23 Council Member Barron has some questions.

24 COUNCIL MEMBER BARRON: First of
25 all you know it is time that we do have

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2 comprehensive immigration law passed, but when
3 people think of immigration they usually has a
4 Latino face and now the LGBT community is also
5 getting involved, but what is left out and not
6 talked about much is the impact on African
7 immigrants and those blacks from the Caribbean.
8 We just get left out of that, and there is a lot
9 of peculiar things happened when you are black and
10 coming from continental Africa or the Caribbean,
11 so I would like to see more when other communities
12 want us to support their issues, we do when we can
13 agree, but very rarely if at all do I hear any
14 mention of continental Africans or black people
15 from the Caribbean when it comes to immigration,
16 and I'd just like to see more of that so that the
17 people of this country can see it is broader than
18 even what they can imagine. Other that, it is
19 high time that we pass comprehensive immigration.

20 KYLE BRAGG: Councilman Barron, I
21 think that is 100 percent right. Actually just
22 two weeks ago I held a forum at our offices at 18th
23 Street on CIR from the African - - disposition and
24 there was a very healthy dialogue, and it is
25 amazing as we move forward through this path of

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2 common sense immigration reform the horror stories
3 that are out there, and it is from so many
4 different demographics, and it is very important
5 that all communities are engaged in this dialogue.
6 Chairman Dromm as you were talking about the
7 visas--if that was the unification visas, yes, we
8 are very much in favor. We have to make sure that
9 nothing is in this bill that serves to divide
10 families. We are about bringing families
11 together, and so we are very much in support of
12 anything that unifies families. As Councilman
13 Barron was just talking, we had some--I had Bertha
14 Lewis from the Black Institute bring to the forum
15 some young students who were timed out. They were
16 the children of recruited Haitian teachers talking
17 about a broken promise. They were recruited.
18 They didn't seek to come to this country. They
19 were recruited to come to this country and put
20 into the worst schools in this city to teach, and
21 they have done it and they have done an excellent
22 job at it, and they brought young children with
23 them and were given promises of citizenship, a
24 pathway to citizenship and because of their
25 classification now, they neither have citizenship

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2 and their children are timed out. Brilliant
3 children not known what impact they can have on
4 our communities or societies and they can't go to
5 school. They can't get funding. It is a crime.
6 It is a shame, and this is not the country that we
7 should be.

8 COUNCIL MEMBER BARRON: Well, thank
9 you, and any other activities you are having as it
10 focuses on Africans and people from the Caribbean
11 let me know because I am already out there on the
12 comprehensive stuff and the other mentions of it,
13 I am there. So if you are doing anything else in
14 particular on that... And then we have got to
15 continue just in terms of language because the
16 DREAM Act uses the term alien minor. We have got
17 to get rid of alien and illegal and they have got
18 a lot of nerve. They stole some of these states
19 from the indigenous people, who are now coming
20 back to reunite with their families, and how do
21 you become the immigrant when they stole it from
22 you in the first place? If anything, those who
23 are in power who stole the land, they are the
24 immigrants that came here and stole it from
25 indigenous people who are trying to unite back

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2 with their families and do the right thing, so
3 keep up the good word.

4 MULTIPLE VOICES: Thank you.

5 CHAIRPERSON DROMM: I just want to
6 concur with Council Member Barron as well in terms
7 of our discussion regarding African immigrants and
8 the plight of our Caribbean teachers, which is
9 known to a number of the members of this
10 Committee, and we have been working closely with
11 the UFT on that issue also, but the whole idea
12 that they were promised this path to citizenship,
13 which was never realized and then the constant
14 fees that they are forced to pay to continue to
15 have their children here in this country is
16 outrageous, and also to acknowledge that before I
17 got the voting rights bill that bill was sponsored
18 primarily by Council Member Charles Barron and I
19 just want to thank him for that as well. So we
20 have been joined by Council Member Jumaane
21 Williams and I guess that will be it for this
22 first panel unless there are any other questions.
23 Thank you. Council Member Eugene would like to
24 make a comment.

25 COUNCIL MEMBER EUGENE: Thank you

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2 very much, Mr. Chair. I want to commend you and
3 thank you for your leadership. I think I want to
4 commend and thank also all my colleagues from the
5 City Council, also the members of the Immigration
6 Committee. You know the immigration reform was
7 overdue, and this is something very important not
8 only for America, but also for all the immigrants.
9 We all know that the immigrants who come to the
10 United States all of us we come here for the same
11 reason. It doesn't matter what time we get here.
12 Those who came before us they had the opportunity
13 to enjoy the American dream, and those like me,
14 myself, who came from Haiti or from Mexico, from
15 China, we have the opportunity to have a piece of
16 the American dream. We are part of this system.
17 We are professionals. We are elected officials,
18 but we have the moral obligation also to help the
19 other immigrants to get the same thing. It's
20 about justice. It's about equity, and with
21 immigrants America is stronger, richer and I think
22 that working together we are going to make it--we
23 are going to allow all Americans, everyone living
24 in the United States, all immigrants to have the
25 same opportunities that we are enjoying now, and I

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2 congratulate all the labor unions, all the
3 advocates, all the elected officials who came
4 together to make sure we have the immigration
5 reform. One thing that I want to add, we in the
6 United States of America, we are talking about
7 family values. We said that we respect family
8 values or know values, so that means that we have
9 to stop deporting people. The immigration reform
10 should stop deportation, show allow family members
11 to stay together. If we don't do that, it is not
12 going to be a comprehensive immigration reform,
13 and I am very pleased to be part of this movement
14 by the grace of God and know we are going to make
15 it. Thank you, Mr. Chair.

16 CHAIRPERSON DROMM: Thank you. I
17 know Council Member Williams wants to make a
18 statement, but let me call my second panel, and
19 then he can make this statement. The second panel
20 will be Samuel Palmer Simon from New York Legal
21 Assistance Group, Annie Wang from American
22 Immigration Lawyers Association and Jojo Annobil
23 from Legal Aid Society. Council Member Williams?

24 COUNCIL MEMBER WILLIAMS: Thank
25 you, Mr. Chair, and I have to head out after. I

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2 wanted to make sure I said this so thank you for
3 giving me the opportunity. I just want to align
4 myself with all the things that my colleagues
5 said, and of course, for my family being immigrant
6 family, and a great number of my district being
7 immigrant family from all over the world, it is a
8 very important issue, and I hope it gets dealt
9 with quickly. For one of the points that Council
10 Member Barron said I wanted to make sure I
11 mentioned that CUSH Church of the United Savior -
12 - and the Black Institute are very much focused on
13 the African and Caribbean immigration issue, which
14 needs to be pushed out much further. Every time I am
15 in a group of Caribbean leaders, African leaders,
16 I tell them the great job that our Latino brothers
17 and sisters are doing, and we have to make sure
18 that we join that fight as well because it is
19 definitely going to affect us and the frustration
20 and the hypocrisy of the United States where
21 immigrants are a mainstay and anywhere the
22 immigrants are, economics does better, and there
23 are industries that would crumble particularly if
24 undocumented immigrants weren't there for them to
25 know that and for us, society, to benefit so much

1
2 from it to then turn around and act as if they are
3 not wanted and are not needed is the height of
4 hypocrisy, and I am glad that we are moving in a
5 way to try to fix that. We have a long way to go,
6 but I am cautiously optimistic as Congresswoman
7 Nidia Velazquez said that we are moving in the
8 right direction, so thank you very much.

9 CHAIRPERSON DROMM: Thank you very
10 much. Let's start over here on my left. Yes?

11 SAMUEL PALMER SIMON: Ladies and
12 gentlemen of the New York City Council Committee
13 on Immigration, the New York Legal Assistance
14 Group's immigrant protection unit wishes to convey
15 its full support for the present resolution. We
16 would also like to particularly applaud the
17 efforts of Council Members Dromm and Eugene whose
18 offices we continue to work with in advancing the
19 cause of immigrants' rights. With the recent
20 arrival of reform proposals from President Barack
21 Obama and a bi-partisan group of Senators, we as
22 immigration practitioners have formulated our own
23 platform, which we respectfully present before you
24 today. Keeping immigrant families together has
25 historically been a top priority in the formation

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2 of immigration legislation, particularly as
3 enshrined on the United States relative petition
4 process. As such, family unity must remain a
5 central focus in any proposal for comprehensive
6 immigration reform. Towards that end, we endorse
7 the following initiatives: spouses and minor
8 children of permanent residents should be re-
9 categorized as immediate relatives, doing so will
10 reduce the waiting period for those relatives
11 allowing many of them to adjust to permanent
12 residents in the United States without leaving the
13 country and free up visas for use by other
14 relatives of U.S. citizens and permanent
15 residents, derivatives of immediate relatives
16 should be granted the same status in order of
17 consideration without a separate petition as the
18 principal beneficiary if accompanying or following
19 to join the principal applicant. Under the
20 current law principal applicants must wait years
21 to be reunited with derivatives. In conjunction,
22 the current wait times for family petitions must
23 be addressed by for example, raising the numerical
24 limits on immigrants coming from certain countries
25 such as Mexico and China. As Council Member Dromm

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2 and the present resolution being considered exhort
3 we believe in the recognition of same sex
4 marriages and the granting of full benefits to
5 same sex spouses of U.S. citizens and permanent
6 residents. A final note, while we firmly
7 encourage the development of policies and
8 procedures, which foster a more robust and
9 sensible employment based immigration scheme,
10 those efforts should not be made at the expense of
11 family unity. Proposals which seek to lower caps
12 for family based immigration in exchange for
13 greater numbers of employment related visas are
14 untenable and would - - contrary of the spirit of
15 comprehensive immigration reform. A pathway to
16 citizenship for the millions of undocumented
17 immigrants currently living in the United States
18 is now more than ever a pressing necessity, yet
19 the manner in which that path is laid out will be
20 crucial to the success of any legalization
21 program. We would encourage the grant of
22 conditional permanent status to undocumented
23 immigrants who fulfill the legalization
24 requirements. Upon compliance with all the
25 conditions of said status conditional permanent

1 residents would then be permitted to apply for
2 removal of the condition and to obtain lawful
3 permanent resident status. Thereafter, those
4 lawful permanent residents must be eligible to
5 become U.S. citizens. Prohibiting those
6 individuals from applying for naturalization would
7 create a secondary class of lawful residents. The
8 pathway to legalization should be made available
9 to individuals with prior removal orders and
10 grants of voluntary departure. We believe
11 fervently that legalization should not be
12 contingent upon border security. As long as
13 border security and justice for undocumented
14 immigrants are paired, the legalization process
15 will not proceed. The border security
16 requirements are difficult to measure and may in
17 fact be unattainable. Due process and equal
18 protection are important values in our justice
19 system and must apply to any person in this
20 country, documented or undocumented. Therefore
21 government appointed counsel should be a guarantee
22 for individuals who cannot afford a private
23 attorney, so too should come in the reform of
24 immigration detention. Detention of immigrants

1
2 not subject to mandatory detention should be
3 eliminated and all detained immigrants must be
4 given meaningful access to counsel. Thank you.

5 CHAIRPERSON DROMM: Thank you.

6 Next?

7 ANNIE WANG: Good afternoon,
8 members of the Immigration Committee of the City
9 Council. My name is Annie Wang, and I want to
10 thank you for allowing me to submit this testimony
11 on behalf of the New York Chapter of the American
12 Immigration Lawyers Association, the nation's
13 largest professional organization of immigration
14 lawyers. For too long, 11 million individuals
15 have lived in the margins of our society without
16 lawful immigration status. Many of them are here
17 in the five boroughs of New York City. They pay
18 taxes, but never receive social security benefits.
19 They are educated in our schools, but can never be
20 employed to realize their full potential. They
21 raise their families with values of hard work and
22 discipline, but they live in constant fear of
23 arrest, detention and exile. The time is now to
24 give them the opportunity to step forward,
25 legalize their status and become integrated

1
2 members of our society on a roadmap to citizenship
3 and to do so quickly without overly burdensome
4 conditions and in a way that is affordable, but
5 these individuals are only one fact of our broken
6 immigration system. There are not nearly enough
7 green cards available for family members and
8 workers to meet the demand every year. True
9 reform will ensure that families do not have to
10 wait decades to be reunited or that workers have
11 to look elsewhere for jobs. It will not increase
12 the availability of green cards for workers by
13 decreasing or eliminating those green cards for
14 family members, and true reform will ensure that
15 individuals who identify as LGBTQ are entitled to
16 immigration benefits without exception, Sensible
17 reform will ensure that the U.S. can compete in
18 the global marketplace by encouraging foreign
19 national entrepreneurs to startup companies
20 without being constrained by archaic visa
21 requirements. It will allow all needed workers
22 regardless of skill level to have a legal way of
23 working in the U.S. that includes all necessary
24 protections and strengthens working conditions.
25 Humane reform will recognize that the detention

1 and deportation system is out of control.
2 Billions of dollars are spent each year on
3 detention operations. Meaningful reform will
4 recognize that an unprecedented amount of
5 resources have been developed to border security
6 and immigration enforcement for years, and that
7 immigration enforcement is by far the largest
8 recipient of federal law enforcement funding in
9 the U.S. Immigration reform is a moral and
10 economic imperative. Our immigration laws have
11 led to a humanitarian crisis and the time is long
12 overdue for meaningful reform. We are encouraged
13 that our elected officials in Washington recognize
14 the urgency of this issue; however, we are
15 concerned about many of the details that have been
16 leaked and hope they will consider suggestions
17 like the ones that we just provided. We are proud
18 to stand alongside our immigrant sisters and
19 brothers, the City Council and all the other
20 groups and individuals testifying today to demand
21 sensible and humane immigration reform now. Thank
22 you.

24 CHAIRPERSON DROMM: Thank you. Mr.
25 Annobil?

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2 JOJO ANNOBIL: Good afternoon,
3 Chairman Dromm and thank you so much for inviting
4 us to discuss the urgent need for Congress to
5 finally address comprehensive immigration reform.
6 The Legal Aid Society supports the pre-considered
7 resolution. We believe that New York City's role
8 in the comprehensive immigration reform debate
9 must be two fold. First, we must advocate for a
10 large scale overhaul of current immigration laws
11 and policies by demanding a solution to the
12 immigrant visa backlog, legalization for
13 undocumented persons and repeal of the draconian
14 1996 changes to the immigration and nationality
15 act. Secondly, New York City must play a key role
16 in planning for an efficient and effective
17 implementation of legalization for dreamers and
18 the undocumented should Congress pass such a law.
19 It is so necessary for New York City to advocate
20 for an overhaul of the current immigration laws
21 and policies because of the frustrating impact
22 they have on our city's families. Comprehensive
23 immigration reform should not leave anyone behind
24 or create a new tier of undocumented immigrants.
25 All immigrants residing within the United States

1
2 should be granted legal status and then be on a
3 path towards legal permanent residence.

4 Undocumented persons should not be required to
5 leave the U.S. to get on this path. Such a policy
6 would also burden an already overweight system.

7 In addition, requiring immigrants to leave the
8 U.S. and reenter the country, limits immigrants
9 who are already resource strapped. We must also

10 aid our nation's lawmakers to fix the inherent
11 flaws of the 1996 anti-terrorism and effective
12 death penalty act and the illegal immigration

13 reform and immigrant responsibility act. While
14 everyone is fixated on the undocumented

15 population, few are considering the fate of those
16 who already have lawful permanent residence.

17 Deportation is wreaking havoc on New York City
18 immigrant families. We believe firmly that to

19 move forward passage of comprehensive immigration
20 reform that includes legalization would bring

21 relief and unique opportunity to the millions of
22 undocumented immigrants by allowing them to - -

23 their status in the U.S.; however, the success or
24 failure of implementing legalization will depend

25 largely on - - and not for profit legal service

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2 organizations, such organizations already cope
3 with heavy caseloads and limited resources. New
4 York City must step in and provide funding to
5 assure the continued - - of quality and competent
6 services to our city's immigrant population, and
7 we stand ready to work with the City Council on
8 these proposals. Thank you so much.

9 CHAIRPERSON DROMM: Thank you also.
10 I just want to go to a statement which was made by
11 NYLAG [phonetic], Mr. Simon. - - border security
12 injustice for undocumented immigrants - - the
13 legalization process will not proceed. Can you
14 just elaborate on that further for me and tell me
15 why?

16 SAMUEL PALMER SIMON: Certainly.
17 That statement has to do with the fact that
18 metrics of border security are often either
19 intangibles or difficult to measure and in fact
20 many of the past goals that were already said as
21 benchmarks have already been met, and to further
22 set goals that are unattainable would only
23 postpone or possibly indefinitely sabotage the
24 legalization program for example.

25 CHAIRPERSON DROMM: So some of the

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2 political concerns in Washington are centered
3 around that issue, and I do want to highlight that
4 also and state that I agree with you and what you
5 have said and very deeply concerned about how that
6 is going to play out as well. And then to also go
7 to the statement that American Immigration Lawyers
8 Association made regarding the humane reform in
9 the deportation system is out of control. We have
10 recently read about solitary confinement of
11 detainees and we have even had a hearing here in
12 this Council on the practices of some of these
13 privately owned corporations that are involved in
14 detention programs. Can you just also elaborate
15 somewhat on that as well and fill me in a little
16 bit more on that? Billions of dollars are spent
17 each year on detention operations.

18 ANNIE WANG: Yes, and you may be
19 familiar, Council Member, with the recent
20 migration policy institute that had some really
21 startling findings on the combined federal funding
22 for immigration law enforcement, which far
23 outstrips all of the other enforcement agencies
24 combined. As for the impact of solitary
25 confinement and other harsh conditions we do need

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2 to bear in mind that immigrants are being detained
3 not necessarily for criminal offenses, often for
4 civil offenses like entering this country without
5 authorization, and medical studies have found the
6 extremely harmful psychological effect of solitary
7 confinement.

8 CHAIRPERSON DROMM: I agree
9 wholeheartedly. I am also looking at that issue
10 in our Rikers Island system as well, and it is of
11 deep concern to me. I don't think a lot of
12 Americans understand that immigration court system
13 is civil court process, and that they don't have
14 as many rights as you would per se in criminal
15 court--right to an attorney, right to make phone
16 calls, right to see an attorney. You have these
17 rights, but especially when private corporations
18 are running these institutions, it is extremely
19 difficult even for attorneys to have access to
20 their clients. So without adequate oversight over
21 these institutions I think we see these types of
22 abuses occurring more and more often. I am glad
23 that you pointed that out in your testimony as
24 well. So thank you Mr. Annobil. Thank you
25 everybody in the panel for coming. I appreciate

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your testimony.

ANNIE WANG: Thank you.

CHAIRPERSON DROMM: Our next panel will be Freddie Castoblanco from Jackson Heights, small business owner and Amanda Lugg [phonetic] from African Services Committee and Jessica Orozco [phonetic] from Hispanic Federation. Are you ready?

FREDDIE CASTOBLANCO: I am ready. I want to thank the City Council of New York and particularly to Daniel Dromm, our council member.

CHAIRPERSON DROMM: Good to see you.

FREDDIE CASTOBLANCO: Good to see you too--and Christine Quinn. Hello, my name is Freddie Castoblanco. I am an immigrant and a small business owner. I am here today to support comprehensive immigration reform with a pathway to citizenship. I am also a member of Small Business United, the project of Make the Road New York, and also part of Main Street Alliance, a small business organization nationwide. I came to U.S. almost 13 years ago from Colombia where I practiced as a doctor in ER. When I immigrated my

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2 first plan was to research in basic medical
3 science. One year later, I decided to open a
4 small business in New York. 11 years ago, I
5 opened the doors of Terraza Seven [phonetic],
6 Terraza Siete right in the middle of Elmhurst and
7 Jackson Heights Queens in what used to be an
8 abandoned storefront, I built a live music venue
9 with my own hands and a team of employees that
10 today is a vibrant center of neighborhood life
11 where community members gather and express their
12 political views. Terraza Seven as a point of
13 reference for the Latin American music based in
14 New York in events supported by the Smithsonian
15 Institution, the Guggenheim Museum, the Queens
16 Council on the Arts among others local artists
17 present their work. At this moment in our
18 partnership with Flushing Town Hall Museum we are
19 - - that reflects the diversity of Queens and the
20 - - cultures that take place here to music. I am
21 also proud to create jobs for my community. In
22 2011, we as small business owners, started 28
23 percent of all business in the U.S. As immigrants
24 we - - committed - - revitalization of our
25 communities in different ways. Our healthy and

1
2 young workforce will lower the cost of medical
3 insurance and will help to solve the crisis in
4 social security, Medicare and Medicaid. For our
5 communities the revitalization is only possible if
6 we can - - billionaires and immigrants. We need
7 the commitment of the entrepreneurial spirit and
8 the - - power of the immigrants, those to serve as
9 business owners, workers and customers. We need
10 more customers in our stores. Comprehensive
11 immigration reform will grow our customer base by
12 allowing more people to work and make fair wages.
13 I cannot generate new jobs with tax reductions,
14 but we all will flourish with more customers, with
15 good working conditions and more persons in power
16 in our communities. The comprehensive immigration
17 reform that we need to prioritize all immigrants.
18 Our small businesses, the backbone of our economy,
19 are based on the creativity and hardworking
20 capacity of the people with entrepreneurial spirit
21 not always validated by high academic degrees.
22 The local economies on our main streets need all
23 types of workers. The main skew of immigrants
24 businesses workers our creativity must be
25 considered as a key role in our economical

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2 recovery. Finally, as business owners in
3 immigrant community I know we won't be able to
4 generate new jobs in communities plagued with fear
5 that - - the secure communities policies generate
6 fear in our communities and its - - job creation.
7 To create a productive environment, we need to
8 foster true security for all members of our
9 community to comprehensive immigration reform.
10 When the people don't need to live in fear,
11 everyone will benefit. We need comprehensive
12 immigration reform and we need it now. Thank you.

13 CHAIRPERSON DROMM: Thank you, and
14 Amanda?

15 AMANDA LUGG: Good afternoon.
16 Thank you for the opportunity to be able to speak
17 here this afternoon. My name is Amanda Lugg. I
18 am the director of advocacy from African Services
19 Committee. I am so sorry the other two council
20 members had left before I had the chance to speak
21 obviously representing the African immigrant
22 community this afternoon.

23 CHAIRPERSON DROMM: Me too, and I
24 am glad that you are here.

25 AMANDA LUGG: Thank you. African

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2 Services Committee is a 30 year old non-profit
3 organization based in Harlem dedicated to
4 improving the health and self-sufficiency of the
5 African community. We provide health, housing,
6 legal, education, social services to over 10,000
7 newcomers each year with a focus on HIV
8 prevention, care and support. ICE, the
9 immigration customs enforcement, detains over
10 400,000 immigrants including thousands of asylum
11 seekers in 250 jails and jail like facilities
12 across the country at a cost of two billion
13 dollars annually, despite the existence of
14 effective and less costly alternatives to
15 detention. ICE interprets appropriates language
16 to mandate a daily detention level of 33,400, an
17 approach that does not exist in any other law
18 enforcement context in this country and that
19 prevents the agency from saving taxpayer dollars
20 by using more appropriate alternatives to
21 detention when detention is not necessary. In
22 fact, criminal justice systems across the country
23 have recognized that effective alternatives can
24 create cost savings and more humane outcomes while
25 also achieving governmental objectives. As

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2 documented by human rights first the bi-partisan
3 U.S. Commission on International Religious
4 Freedom, human rights authorities, prison experts,
5 correction officials and the American Bar
6 Association all confirm that jails and jail like
7 facilities are inappropriate for civil immigration
8 detainees. As such, and to bring U.S. immigration
9 law in line with U.S. human rights commitments,
10 African Services Committee recommends the
11 following detention priorities for comprehensive
12 immigration reform: repeal of those sections of
13 the immigration and nationality act that require
14 the mandatory detention of immigrations, stop gap
15 measures that will mitigate mandatory detentions
16 adverse impact until total repeal of mandatory
17 detention is achieved, include the elimination of
18 the detention bed mandate, a change in the
19 definition of aggravated felonies so that fewer
20 people are included in the mandatory detention
21 category, and redefining detention as government
22 custody or other restriction on individual liberty
23 and recognize that alternative forms of detention
24 can constitute custody and require establishment
25 of government funded community support programs,

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2 which provide case management and access to a
3 combination of local services for individuals
4 being released from immigration to detention to
5 promote safety and self-sufficiency and legal
6 representation, also to require DHS to implement
7 standards and conditions in line with the American
8 Bar Association's proposed civil immigration
9 detention standards. Finally, in addition, access
10 to affordable healthcare and nutrition assistance
11 is necessary to fully integrate aspiring citizens
12 and provide them with the opportunity to learn to
13 work and to contribute to their communities;
14 therefore, African Services also recommends the
15 following healthcare priorities to be included in
16 immigration reform: do no harm to programs that
17 are available regardless of immigration status
18 such as food banks, community health centers, no
19 new restrictions or waiting periods to existing
20 programs including the affordable care act, the
21 ability to buy affordable health insurance through
22 the exchanges under the ACA--the affordable care
23 act, ability to obtain ACA tax subsidies that help
24 make insurance more affordable, allow all lawfully
25 present children and pregnant women including

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2 aspiring citizens to apply for SNAP, Medicaid and
3 CHIP without a waiting period, eliminate the five
4 year waiting period for Medicaid for low income
5 immigrant parents and seniors, and count the
6 number of years in provisional status towards the
7 five year waiting period for federal benefit
8 programs, provide additional funding and support
9 to safety net providers to serve uninsured
10 immigrants and finally, to provide states
11 additional funding for integration programs that
12 include access to affordable healthcare and
13 nutrition assistance. Thank you very much.

14 CHAIRPERSON DROMM: Thank you.

15 Jessica?

16 JESSICA OROZCO: Chairman Dromm and
17 members of the Committee, I thank you for holding
18 this timely hearing on comprehensive immigration
19 reform, and I appreciate the opportunity to appear
20 before the Committee. My name is Jessica Orozco,
21 and I am the director of immigration and civic
22 engagement of the Hispanic Federation, a - -
23 Latino organization dedicated to promoting the
24 social, political and economic well-being of the
25 Hispanic community. HF has been and will continue

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2 to work tirelessly to pass immigration reform this
3 year. Earlier this year HF issued its policy
4 brief on immigration reform, which highlights the
5 key principles necessary to enact fair and
6 comprehensive immigration reform, and I have given
7 you a copy of that as well. In addition, we are
8 organizing immigration town halls to educate and
9 mobilize Latino community and allies in support of
10 immigration reform. We will also be holding a
11 lobby day in Washington D.C. sending hundreds of
12 Latino community members to our nation's capital
13 to meet with legislators and advocate for the
14 passage of immigration reform. There is a broad
15 consensus that our immigration system is
16 irrevocably broken, plagued by visa backlogs,
17 bureaucratic delays and outdated policies. The
18 impact on families is incalculable. Millions of
19 U.S. citizens and immigrants alike are forced to
20 wait excruciatingly long periods before they are
21 reunited with close family members. Latinos in
22 the U.S. are disproportionately affected by the
23 backlogs. Those wishing to sponsor an adult under
24 the age of 21 from Mexico for instance sometimes
25 wait over 20 years before the application is

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2 processed. Families are being torn apart. Nearly
3 45,000 undocumented parents of U.S. citizen
4 children were deported in the first six months of
5 2012, and at least 5,100 of their children now
6 live in foster care in 22 states, creating
7 considerable public costs and great human
8 suffering. The impact of the civil rights of
9 Latinos is unjustifiable. 93 percent of Latinos
10 under the age of 18 are U.S. citizens, as are 74
11 percent of Latino adults. Regardless of status
12 every Latino in the United States can have his or
13 her civil rights violated by states and localities
14 engaging in legally sanctioned racial profiling,
15 be held for days in local jail without charge and
16 detained without due process. Our system is badly
17 broken and it is a national shame. We can and we
18 must do better. The Hispanic Federation maintains
19 that the following priorities are crucial to
20 advancing immigration legislation that is fair,
21 preserves family unity and honors immigrants
22 significant contributions to our nation: provide a
23 clear, fair and workable path to citizenship for
24 undocumented immigrants and their families, which
25 affords them immediate legal status to live and

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2 work from the onset of the bill's passage,
3 restructure the immigration system so that it
4 works for everyone, providing for an orderly
5 process, eliminating backlogs for families of U.S.
6 citizens and permanent residents, - - visas and
7 other immigration applications, preserve family
8 unity by creating relief from removal and a path
9 to immediate legal status for parents of children
10 who are citizens and provide the ability of legal
11 residents to bring immediate family members to the
12 U.S. without years or decades of separation, and
13 restoring equality in our immigration system by
14 extending immigration rights to lesbian, gay,
15 bisexual and transgender families, ensure due
16 process and civil rights for all U.S. residents,
17 eliminating immigration policies and programs that
18 lead to racial profiling or deny access to legal
19 counsel and judicial review, reestablish and
20 maintain federal preemption by returning
21 immigration enforcement policy to its place as a
22 federal, not state or local responsibility,
23 establish strong worker protections that protect
24 all workers' rights to organize and bargain
25 collectively, provide occupational safety and

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2 health and anti-discrimination protections. All
3 of us in this room cherish the promise of the
4 American dream. We now have an opportunity to
5 make this dream a reality for the millions of
6 friends, neighbors and community members who are
7 ready to earn the opportunity if given a fair
8 chance. Now is the time to bring them out of the
9 shadows, fully integrate them into our society and
10 have them join us as fellow American citizens.
11 The time for immigration reform is now.

12 CHAIRPERSON DROMM: Thank you
13 everybody for coming in. There is so much good
14 stuff that everybody has had to say, and there is
15 so many things that need to be done in terms of
16 what this bill is going to encompass or it's going
17 to include. I just had a question for Ms. Lugg.
18 You had stated some numbers in terms of detained
19 U.S.--ICE detains over 400,000 immigrants
20 including thousands of asylum seekers, which is
21 incredible when you think about it that asylum
22 seekers are now being detained after having
23 escaped from a country that may be have been
24 persecuting them to begin with, come to another
25 country that continues that persecution in some

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2 sense, but what I am curious about is this number--
3 -the 33,400 daily detention level. I had never
4 heard that before. Can you just tell me a little
5 bit more about that and the appropriations--

6 AMANDA LUGG: [interposing] Yeah,
7 the appropriations. This is the money that has
8 been afforded to ICE for beds in the detention
9 centers and only ICE has interpreted it as that
10 these number of beds need to be filled on a daily
11 basis. This does not need to go through Congress
12 to be changed.

13 CHAIRPERSON DROMM: And that is
14 pretty incredible, and I am wondering if that
15 isn't connected to the fact that half of the
16 detention centers run in this country are private
17 detention centers so when you bring the profit
18 making piece into it that then - - the need to
19 have a minimum number of beds.

20 AMANDA LUGG: Exactly. Our
21 government pays anywhere from 123 to \$164 per day
22 per individual who is detained in a private prison
23 industry. It's a private business. It is in the
24 prison industry's interest to detain as many
25 individuals as possible, and they actually hire

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2 lobbyists to work on the hill to increase
3 enforcement measures in our immigration laws.

4 CHAIRPERSON DROMM: So it puts
5 money in people's pocket.

6 AMANDA LUGG: Exactly.

7 CHAIRPERSON DROMM: --to keep
8 people in detention centers.

9 AMANDA LUGG: Exactly.

10 CHAIRPERSON DROMM: People make
11 profit off of other people's misery.

12 AMANDA LUGG: Exactly.

13 CHAIRPERSON DROMM: Unbelievable.
14 I just want to thank the panel for coming in and
15 Freddie, thank you again for everything that you
16 do. I am very aware of you and we appreciate all
17 you do in our neighborhood as well, so thank you.

18 COUNCIL MEMBER BREWER: I love
19 Freddie.

20 CHAIRPERSON DROMM: We have been
21 joined by Council Member Gale Brewer. Thank you
22 for being here. I have Luiz Nava [phonetic] from
23 the LGBT Community Center, Vanessa Ramos, the
24 Committee for Hispanic Children and Families and
25 Sabrina Fong [phonetic]. Alright. Would you like

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to start?

LUIZ NAVA: Good afternoon,
everyone. I would like first of all saying that I
would like to respect the two minutes, but I know
I will need some seconds after the bling, bling,
so--

CHAIRPERSON DROMM: [interposing]
Don't worry. You can have it.

LUIZ NAVA: So once again, good
afternoon. My name is Luiz Nava, I facilitate the
LGBT immigrant social action group at the Lesbian,
Gay, Bisexual and Transgender Community Center. I
am originally from Venezuela and I am a new
immigrant to the U.S.A and was granted political
asylum almost three years ago, but at the same
time I am a human being who has the universal
right to love someone, to live with him or her and
to marry him or her no matter his or her sexual
orientation. In a few days we will celebrate the
tenth annual New York City heritage week, which we
will reflect on the diversity and contributions of
immigrant communities in our city; however, I
believe that we need to be all inclusive and that
when we say - - city of immigrant communities, we

1
2 must include the LGBT community. Nationally
3 organizations are - - for the inclusion of gay
4 families and - - the passage of the united
5 American families act this year as part of the
6 comprehensive immigration reform. This act will
7 allow gay Americans to sponsor an American partner
8 for citizenship thus keeping LGBT bi-national
9 families united. Couples who are in love, who are
10 committed, who are married should not be separated
11 by law and forced to live in different countries.
12 No immigration reform measure will truly be
13 deserving of the term comprehensive unless it
14 includes LGBT people. To achieve long lasting
15 reform, the comprehensive immigration reform must
16 provide all domestic partners and married couples
17 with the same rights, straights, not straights or
18 gay. We need to establish an efficient path to
19 citizenship for all people because the situation
20 not only affects immigrants, but also Americans
21 who face uncertainty that an immigrant partner may
22 be forced to live out of the U.S. Since LGBT
23 immigrants cannot legally marry and do not have
24 the same path to legalization afforded to straight
25 couples, most people immigrate to the United

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2 States on a family based petition and because our
3 relationships are unrecognized by federal law
4 there is no way to take advantage of those
5 benefits. We are asking Congress to achieve a
6 path that is more human, that will include our
7 LGBT families and allow U.S. citizens in same
8 gender relationships to sponsor their partners.
9 In conclusion, half the steps in reform by our
10 city, our state and our nation create inequality
11 and contribute to oppression faced by the LGBT
12 community. If Congress leaves LGBT people out of
13 this bill, it will be just as irresponsible as
14 leaving out any other kind of people such as
15 Hispanic, Russian, Jewish, Africans or any other
16 class of people. In other words, passing the
17 comprehensive immigration reform without including
18 LGBT couples perpetuates the cycle of
19 discrimination - - petitions - - suggestion for
20 this committee. First one is to ensure that
21 voices of LGBT immigrants are heard within the
22 mayor's office of immigrant affairs, and second,
23 to advocate to include LGBT couples in the 2013
24 comprehensive immigration reform bill. Thank you.

25 CHAIRPERSON DROMM: Thank you.

1
2 VANESSA RAMOS: Good afternoon,
3 Vanessa Ramos, Committee for Hispanic Children and
4 Families. I am very happy to be here testifying.
5 The Committee supports the resolution of City
6 Council in order to move the country toward a
7 comprehensive immigration reform and allow
8 marginalized millions of immigrants to take part
9 in the American civic and economic life. The U.S.
10 Congress to pass immigration reform that number
11 one, opens a non-punitive path to citizenship for
12 undocumented immigrant residents that is both fair
13 and expeditious; two, expand family related
14 permanent resident admissions for spouses,
15 children, parents and partners of immigrants
16 without discriminating on the basis of sexual
17 orientation or gender identity; three, end the
18 long term inhumane ICE detention practices
19 undocumented people have to endure; four, give
20 undocumented residents and their children access
21 to human and social services and benefits, and
22 five, require employers to abide by fair labor
23 practices enforcing labor, health and safety laws
24 and non-discrimination laws and ensuring workers
25 receive at least the minimum wage. In the

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2 Committee we have a number of programs, and we
3 have seen the barriers and the obstacles
4 immigrants face. In our school programs parents
5 are very afraid to come forward and ask questions
6 from the principals. In our Hurricane Sandy
7 efforts we have canvassers that come back with
8 information that many people do not want to seek
9 assistance or help that is available to them for
10 fear that they will be reported to ICE or to
11 immigration authorities, and many immigrants do
12 not report crimes or are victims of crime because
13 they are afraid that the police will turn them
14 over to immigration. Remember that there is
15 secure communities that people are very afraid of.
16 In some immigration it's not just a political
17 issue. It is a humanitarian issue. The U.S.
18 Congress has a responsibility to pass legislation
19 that is comprehensive, humane and fair and allows
20 the millions of families left behind by the
21 current laws to step out of the shadows and come
22 into the light. Thank you.

23 CHAIRPERSON DROMM: Thank you very
24 much.

25 SABRINA FONG: Good afternoon,

1
2 Chairman Daniel Dromm and members of the
3 Immigration Committee. Thank you for this
4 opportunity to testify today in support of a pre-
5 considered resolution calling upon the United
6 States Congress to pass and the president to sign
7 a comprehensive immigration reform bill in 2013.
8 My name is Sabrina Fong, and I am an associate at
9 the MinKwon Center for Community Action. Since
10 our founding in 1984 the MinKwon Center has made a
11 profound presence in the Korean American, Asian
12 American and immigrant communities through various
13 grassroots organizing, education and advocacy
14 initiatives that address important community
15 issues at the national, state and city levels. As
16 the political landscape has accelerated
17 dramatically for comprehensive immigration reform
18 in 2013, the MinKwon Center from the Asian Pacific
19 American table for New Yorkers for real
20 immigration reform, a coalition of over 20 Asian -
21 - and serving organizations working to highlight
22 the needs and concerns of the APA community and
23 the immigration reform debate. In New York City
24 alone over 73 percent of the Asian population is
25 foreign born, and less than half have obtained

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2 their U.S. citizenship. In Flushing, our home
3 base, over 70 percent of the Korean community is
4 foreign born. Needless to say immigration reform
5 is a critical issue for our community. As a
6 second generation Asian American, I have
7 benefitted tremendously from America's family
8 based immigration system. My father came to the
9 U.S. in 1970 with the hope of starting a new life
10 in a new country with his wife. With his brother
11 petitioning for him, my father was able to come to
12 the U.S. at just 19 years ago age. He attended
13 public high school in Manhattan and worked almost
14 every night. Today he is a vital part of our
15 community and a father of three children. I would
16 not be here today if my uncle could not sponsor
17 him; however, at last week's Asian Pacific
18 American community town hall on immigration reform
19 it was clear that my family was lucky. Drawing in
20 a crowd of over 200 people, the town hall has
21 lifted up the stories of individuals directly
22 affected by our broken immigration system and has
23 crystallized the need to increase family based
24 visa categories. Today Asian Americans are the
25 most likely group to have close family members

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2 still remaining abroad, accounting for nearly one-
3 third of all family based immigration visas in the
4 U.S. Currently families must wait up to 13 years
5 to be reunited with a sibling from Korea, and a
6 startling 23 years for a sibling from the
7 Philippines. This is a critical issue for our
8 community. Due to these substantial backlogs for
9 issuing family visas, 1.8 million people are
10 currently waiting in Asian countries to be
11 reunited with their loved ones, yet instead of
12 trying to address these backlogs, Congress is now
13 threatening to drop provisions for the U.S.
14 citizens to be able to sponsor their siblings and
15 their adult children. Instead of an immigration
16 system that keeps families together, Congress is
17 advocating for a system that is employment based.
18 They are proposing a future where individuals like
19 my father would not be able to come. We at the
20 MinKwon Center feel that this change would be
21 misguided and destructive. The need for family
22 based visas and work based visas are complementary
23 issues that must not be pitted against one
24 another. This false dichotomy harms the very
25 foundation that our immigrant community was built

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2 upon. In fact studies found that differences
3 between family and employment categories may exist
4 only a few years after an immigrant's arrival and
5 that skills and family based immigrants are in the
6 same within five years of coming here. As we push
7 for immigration reform now, it is important that
8 we do not lose sight of this for our families and
9 for our communities at large. While we are
10 pleased to see that the City Council has
11 recognized the need to promote family unification
12 in its pre-considered resolution, we are concerned
13 about the lack of specificity and request that the
14 actual resolution contain more specific language
15 around increasing family based visas including
16 expanding the number of visas provided for
17 siblings and adult married children. We must
18 remember America's immigration system was built on
19 the fundamental belief that families should be
20 kept together. The MinKwon Center stands ready to
21 work with this Committee to ensure that this long
22 overdue reform of our immigration system
23 recognizes the vital contributions immigrants make
24 to this country and promotes dignity and respect
25 for immigrants and their families. Thank you so

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much for your time.

CHAIRPERSON DROMM: Ms. Fong, do you have copies of your testimony?

SABRINA FONG: I unfortunately only made a limited number of copies, but I have e-mailed a copy and submitted it for the record. I could also e-mail it to your office or any of yours after today.

CHAIRPERSON DROMM: It would be good to have so we can review your suggestions and we can look at them a little bit more closely, and that would be very helpful for me as well. Has your organization taken a stand on LGBT inclusivity in comprehensive immigration reform?

SABRINA FONG: I believe that we have. The APA table that we have created for New Yorkers for real immigration reform--we have principles that we have come up with and they definitely list including LGBTQ families into this comprehensive immigration reform bill.

[crosstalk]

CHAIRPERSON DROMM: So MinKwon is in support of that? Do you know?

SABRINA FONG: Yes.

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CHAIRPERSON DROMM: Okay.

Alright. Very good. I just wanted to go to the center again, and in your testimony you mentioned that couples who are in love, couples who are committed and couples who are married are separated by law, and I think that is really important to continue to stress that. Couples in New York anyway that we are talking about are legally married--same sex couples are legally married, and yet that recognition is not being considered in comprehensive immigration reform, and that is a real travesty of justice. I also noticed in your testimony that you said that you had a suggestion for the City Council which is to ensure that voices of LGBT immigrants are heard within the mayor's office of immigrant affairs. Has this been a problem for you?

LUIZ NAVA: No, actually, it is not a problem. It hasn't been a problem not at all, just is to keep going and to remind that we need to be heard.

CHAIRPERSON DROMM: Has the commissioner been to the center?

LUIZ NAVA: No, actually--I will

1
2 take some time to say that--we are organizing
3 right now the social action group is organizing
4 the fifth annual immigration fair, which matches
5 or puts together organizations that provide
6 services or any other kind of help for LGBT
7 immigrants and LGBT immigrants that are in need of
8 that kind of information such as legal assistance
9 or health or other kinds of services, and we are
10 thinking on inviting the commission to be there
11 and to support this activity.

12 CHAIRPERSON DROMM: I hope you will
13 invite her, and I hope you will invite me also. I
14 have been there in the past, and would like to
15 come again. I will try to bring the commissioner
16 along with me.

17 LUIZ NAVA: Thank you so much.

18 CHAIRPERSON DROMM: Thank you. I
19 want to say that we have been joined by Council
20 Member Ydanis Rodriguez from Manhattan as well,
21 and I want to thank I think all of you for coming
22 in. Vanessa, thank you as well for your
23 testimony.

24 VANESSA RAMOS: I wanted to say
25 something. There is a waiting list of 4.4 million

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2 people waiting for visas, and this came out in the
3 state department annual report of November 2012,
4 so I think that is important--that report is
5 important.

6 CHAIRPERSON DROMM: I also want to
7 thank you for your inclusivity of the LGBT issue
8 in your testimony. Council Member Rodriguez would
9 like to say something.

10 COUNCIL MEMBER RODRIGUEZ: I just
11 want to say that first of all I apologize I have
12 got to go back to the other hearing that we have,
13 but as you know all I can say is that thank you
14 for all of you. It is because of the hard work of
15 the advocate groups that we are so close to
16 getting comprehensive immigration reform happening
17 in our nation. This was something that none of us
18 thought that it was possible to be happening two
19 or three years ago, and I think that we have to
20 keep addressing the details. I think that the
21 momentum is here. The message is there. We heard
22 loud and clear from the White House that we will
23 get an immigration comprehensive reform, and it is
24 because of all immigration coalitions from
25 Northern Manhattan to Queens and Bronx and

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2 Brooklyn and Staten Island and the - - and the
3 progressive elected officials who believe in this
4 issue that we have been able to say that we can
5 say today that we are close, that we hope that we
6 are close to get that comprehensive happening;
7 however, as our chair said now it is our time to
8 be sure that we put out input so that we take care
9 of any details that the White House that we had
10 the pressure not to include it because this is the
11 most important battle. I think that the first - -
12 was about bring the discussion. The second one is
13 to bring both parties together. The third one is
14 the most important is what will be included, what
15 will be included in that one, and that is where
16 there is going to be a lot of pressure especially
17 from the more conservative people to leave some of
18 the details out and we have to continue
19 organizing. We cannot just lay back as you know
20 is happening and we have to just wait. The last
21 thing that I have got to say that at the same time
22 that we are pushing the details I hope that - -
23 all the CBOs that work with this issue, you also
24 are getting ready to provide all those services
25 that the immigrants will come to your office

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2 because if not, then we will leave the door open
3 for people that will try to take advantage of
4 those immigrants that will need to fill out all of
5 those papers, that will quality to benefit from
6 that, so thank you and I just wanted to say that
7 because I have to go back to the other hearing.

8 CHAIRPERSON DROMM: Thank you, and
9 you bring up some very important points in terms
10 of giving people assistance if and when this
11 finally does happen. I just know even with DACA
12 the Speaker is allocating an additional \$13
13 million this year to legal services for help with
14 that process as well, so I would imagine that this
15 other process would be even larger and want to
16 work with the CBOs as well and other council
17 members to try and secure additional funding for
18 those purposes also. Council Member Brewer has a
19 question.

20 COUNCIL MEMBER BREWER: Thank you,
21 Chair Dromm. I just wanted to follow up on that
22 because, and I should know this but I don't, but
23 if hopefully comprehensive immigration reform in
24 its broadest sense does pass, is there funding
25 from the federal government or would we rely on

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2 the state and localities to the best of your
3 knowledge in terms of all the support that would
4 be needed?

5 VANESSA RAMOS: I don't have a
6 clear answer, but I think that a lot of the
7 funding will have to come from the federal
8 government, and I think the states will have to
9 contribute, but I think it's a federal law, so
10 that comes with an appropriation from the federal
11 government. One of the concerns that I have is
12 with the people to call it comprehensive what will
13 happen, the people that are right now in detention
14 proceedings or in removal or deportation
15 proceedings should benefit from the reform. I
16 think also that we as advocates and New York City
17 Council can pressure Senator Schumer. He is part
18 of what they call the - - and he is our senator,
19 to make sure that the bill that is being discussed
20 is inclusive of all the peoples that we have - - .
21 if we discriminate against one group, it is not
22 comprehensive at all, so we have a great
23 opportunity in New York because we have a senator
24 that is in that group deciding and negotiating,
25 and we should be knocking that door a lot.

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2 CHAIRPERSON DROMM: I couldn't
3 agree more, and just to reiterate what Council
4 Member Brewer was saying because we mentioned this
5 a little bit earlier in the hearing--because
6 immigration is in civil court, it is often people
7 are not afforded the same legal resources they
8 would be if they were in criminal court, so
9 finding and having sufficient money and funding to
10 make sure that people are aware of their rights
11 and that the application process can be completed
12 properly is an issue of major concern to all of us
13 I think.

14 COUNCIL MEMBER BREWER: I assume
15 and I don't know if it's for a fact, but from
16 personal experience, if it is comprehensive, and
17 we get what we want, there is still going to be
18 people who have challenges, and that is where I
19 hope there is more funding for probably legal
20 services like the Chair said, but I just know it
21 is not going to be perfect and we want everybody
22 to benefit, so we are going to need the money.

23 VANESSA RAMOS: Also that the fees
24 are reasonable. I mean right now to become a U.S.
25 citizen the fee is \$680.

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[crosstalk]

CHAIRPERSON DROMM: One of your children. Well, thank you, Council Member Brewer, and congratulations on your paid sick leave agreement. I look forward to having that enacted as law.

COUNCIL MEMBER BREWER: Thank you to you, Mr. Chair.

CHAIRPERSON DROMM: Thank you. Alright. Let me call up my next panel. Thank you. Angela Fernandez from the Northern Manhattan Coalition for Immigrant Rights, Carmel Rose, Emerald Isle Immigration Center, Luna Ranjit from Adhikaar and Mubasha Ahmed [phonetic] from the New York Immigration Coalition. I think Angela is going to address a concern maybe Council Member Brewer that you had as well, so why don't we start with Angela?

ANGELA FERNANDEZ: Sure. Should I go ahead and get started?

CHAIRPERSON DROMM: Yeah.

ANGELA FERNANDEZ: Good afternoon. I want to thank the members of the City Council for this opportunity to speak, members of the

1
2 committee. My name is Angela Fernandez, and I am
3 the executive director of the Northern Manhattan
4 Coalition for Immigrant Rights, a 30 year old
5 community based organization that serves 6,000
6 immigrants a year. The bulk of the individuals
7 served by our organization are residents of the
8 Bronx and Northern Manhattan neighborhoods of
9 Hamilton Heights, Washington Heights and Inwood.
10 NMCIR is a unique community presence. Our staff
11 interacts with almost 30 walk in clients a day,
12 the vast majority of them are green card holders,
13 and we offer - - and English classes to
14 approximately 125 students a week. Our client
15 profile is largely reflective of the immigrant
16 community in the heights. Almost all are Spanish
17 speaking immigrants and the majority have less
18 than secondary school education. In terms of
19 employment, 48 percent are unemployed, and those
20 who are employed 67 percent make less than \$15,000
21 a year. In the last three decades, we have seen
22 an alarming trend of increased deportation of both
23 undocumented immigrants and legal permanent
24 residents. Thousands from our community who have
25 been deported were removed from the United States

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2 without a fair hearing and without representation
3 from legal counsel. The immigration reforms of
4 1996 which actually Jojo Annobil referred to,
5 which brought in the categories of mandatorily
6 deportable offences, have had a devastating impact
7 on New York residents. Tens of thousands of
8 individuals from New York City have been
9 mandatorily deported without any consideration of
10 military service--these are green card holders who
11 have gone to fight in the wars--rehabilitation,
12 family ties, history of tax payment or the needs
13 of U.S. citizen children or elderly parents.
14 Because of the 1996 reforms immigration judges
15 ability to adjudicate deportation hearings fairly
16 have been severely constrained. It is imperative
17 that CIR reinstate immigration judges' ability to
18 use discretion in mandatory deportation cases.
19 Judges must have the ability to take into
20 consideration the impact that deportation would
21 have on children in the family, the hardship
22 family members will experience as a result of the
23 deportation, the length of time in the U.S. and
24 something that people don't talk about much, which
25 is the lack of connection to the country of

1
2 origin. Many green card holders come to this
3 country at six months, two years old, three years
4 old and also take into consideration the
5 investment to the community - - U.S. through
6 business enterprises, military service, property
7 ownership and/or tax payments. This is the issue
8 that is not being addressed or it is addressed in
9 a very minimal instance, and these folks are going
10 to continue to suffer after reform. The lack of
11 adequate affordable representation in immigration
12 court has been recognized as a crisis in New York
13 City and in the United States. Unlike in criminal
14 proceedings, immigrants and deportation
15 proceedings can be held in jail and forced to
16 proceed against trained government lawyers alone,
17 without any legal assistance whatsoever, and on
18 top of that, there is a language barrier. Indeed,
19 60 percent of detained immigrants in New York have
20 no lawyers. Data that was uncovered by the Casman
21 [phonetic] study group on immigrant representation
22 demonstrates that it is virtually impossible to
23 win your deportation proceeding if you are
24 detained and unrepresented. Only three percent of
25 those individuals in this situation prevail, but

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2 lawyers make a huge difference. Lawyers can
3 increase success rates by approximately 1000
4 percent. What happens is that an immigrant who is
5 detained once they have an attorney their
6 likelihood of actually being released from
7 detention is extremely high. Now will the
8 deportation end? Maybe not, but their being
9 outside of prison or detention allows them to
10 communicate more freely and more easily with their
11 attorneys, so their attorney can make a better
12 case for them. In the last five years, over 7,000
13 New York City children lost a parent to
14 deportation with a program for appointed counsel
15 far fewer families would be torn apart. We
16 support a comprehensive immigration reform that
17 restores judicial discretion and mandatory
18 deportation hearings and provides free legal
19 representation to all detained immigrants. Thank
20 you.

21 CHAIRPERSON DROMM: Thank you. - -

22 .

23 CARMEL ROSE: Good afternoon. My
24 name is Carmel Rose, and I am here representing
25 the Emerald Isle Immigration Center. The Emerald

1
2 Isle Immigration Center would like to thank the
3 New York City Council for the opportunity to
4 submit testimony in support of resolution 6034
5 calling upon the United States Congress to pass
6 and the president to sign a comprehensive
7 immigration reform bill in 2013. We would
8 especially like to thank Chairperson Daniel Dromm,
9 the Committee on Immigration and the New York City
10 Council for their continued support of our work to
11 provide legal assistance to New York City
12 immigrant communities through the immigrant
13 opportunities initiative. The Emerald Isle
14 Immigration Center is a 25 year old community
15 based non-profit organization providing
16 immigration, legal services, citizenship
17 preparation and education, social services and
18 employment related services to immigrants through
19 our offices in Woodside, Queens and Woodlawn in
20 the Bronx. We assist more than 20,000 individuals
21 each year by providing case assistance,
22 information on referrals. EIIC offers directly -
23 - representatives on immigration and
24 naturalization matters to nearly 1,000 low income
25 immigrants and New York City residents annually.

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2 In the current fiscal year to date we have
3 represented clients from 52 different countries.
4 The immigrant communities that we serve consist of
5 hardworking individuals looking to improve their
6 own lives and those of their families. For every
7 client that we are able to assist to obtain a
8 permanent residence or citizenship, there is at
9 least a dozen others who do not have any options
10 under current immigration laws to formalize their
11 status. Many of them pay taxes, have no criminal
12 records and have children or relatives who are
13 U.S. citizens or permanent residents. Some own
14 homes and businesses employing American workers;
15 however, due to their immigration status
16 violations, they are ineligible for immigration
17 benefits without suffering harsh bars and
18 separation from their families, businesses and
19 roots within the United States. As a result of
20 their lack of immigration status, they are not
21 eligible to drive, obtain affordable healthcare,
22 seek financial aid, travel overseas to visit
23 family and they remain in immigration limbo. We
24 would like to thank the New York City Council
25 Committee on Immigration for introducing this

1 resolution and holding this hearing today. We
2 respectfully urge this committee and the entire
3 City Council to pass this resolution and send a
4 message to their colleagues in Congress to pass
5 comprehensive immigration reform immediately to
6 fix a dysfunctional immigration system and provide
7 a path to legal status and ultimately citizenship
8 to many undocumented New Yorkers. Over the next
9 few weeks we look forward to seeing a bill
10 introduced in Congress to move the process
11 forward. We support the current bi-partisan
12 discussions and proposals towards a comprehensive
13 and fair immigration reform bill. With the right
14 balance between access and enforcement and the
15 inclusion of proposals for future flow to the
16 United States. We hope that a final comprehensive
17 immigration reform bill will embrace the following
18 principles: a clear, direct and inclusive path
19 towards citizenship. A bill must be both fair and
20 inclusive towards the undocumented currently
21 living in the United States. It should permit
22 everyone live and working in the United States to
23 earn citizenship within a reasonable time and
24 respect the unity of the family and those
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2 currently waiting in line to obtain legal status.
3 We need to avoid the creation of an underclass of
4 immigrants who will never be eligible to attain
5 the rights and responsibilities of U.S.
6 citizenship. A legalization program towards
7 citizenship should also not be conditions on the
8 satisfaction of uncertain and unclear triggers
9 involving border enforcement and employment
10 verification. All immigrants should also have the
11 opportunity for full civic participation and
12 integration in our communities. Immigrants must
13 be given the tools to fully participate in our
14 society. Local immigrant communities need
15 resources to provide English language classes,
16 citizenship preparation and other support that
17 immigrant families need to become full
18 participants in the wider community. Long term
19 and sustainable future flow of migration while
20 respecting the rights of immigrant workers--new
21 opportunities must be available to those who are
22 qualified and whose skills are needed to support
23 the U.S. economy and labor market. This will also
24 help alleviate the demand, incentives and abuse
25 towards the employment of undocumented workers.

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2 An efficient and accurate system to ensure
3 compliance by U.S. business to employ workers
4 should be established to also respect the rights
5 and privacies of all employees. Ensure
6 fundamental due process in the immigration system.
7 Finally, we must move away from the enforcement
8 first approach and efforts to detain and deport
9 immigrants. These efforts are wasting resources
10 and taxpayer dollars. Civil rights and the trust
11 between immigrant communities and law enforcement
12 needs to be restored by changing current
13 deportation policies and ending enforcement
14 programs deputizing local authorities. All
15 immigrants threatened with removal should also be
16 provided their day in court and the opportunity
17 for legal representation. With your support, we
18 can send a message to Congress and the president
19 that now is the time to pass meaningful and real
20 comprehensive immigration reform. Thank you.

21 CHAIRPERSON DROMM: Luna?

22 LUNA RANJIT: Good afternoon. On
23 behalf of the 40,000 plus Nepalese speaking
24 immigrants in New York City as well as the over a
25 thousand Adhikaar members, I would like to thank

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2 the New York City Council Committee on Immigration
3 and especially Chairman Danny Dromm for this
4 opportunity. I really appreciate this
5 opportunity. Adhikaar represents the growing
6 Nepalese speaking community. Almost all of our
7 community members are first generation immigrants,
8 and so all of the issues that have been discussed
9 today, brought up by all the previous speakers are
10 very relevant to our community as well and since
11 our inception in 2005, Adhikaar has been actively
12 advocating for a fair and humane immigration
13 reform, and this year as well we are hoping for a
14 new bill that it looks likely we fully support
15 immigration reform that is rooted in human rights
16 for all; however, the proposals that have been
17 circulated, what we have been hearing seems to not
18 incorporate everyone in our community and a
19 possibility of creating more problems for our
20 community members as well as millions of other
21 undocumented immigrants as well, so in order to
22 ensure that the immigration reform process
23 protects all immigrants particularly low wage,
24 informal sector workers that form the base of our
25 membership a number of specific protections that

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2 must be included in any reform legislation--first
3 of all, it would be the path to citizenship should
4 be streamlined and the proposed fees and fines and
5 long waiting periods creates more of an obstacle
6 course than a path a citizenship. With the high
7 fees community members may forgo taking advantage
8 of the opportunities especially for people making
9 below minimum wages, thousands of dollars in fees
10 and fines is not feasible. Additionally, another
11 thing that really concerns us is the linking of
12 immigration status with work requirements. All
13 the proposed bills since 2006 have said people
14 have to prove either some employment or more
15 recently continuous employment, and for workers in
16 the informal sector where they are forced to work
17 under the table, including day laborers, domestic
18 workers, nail salon workers, restaurant workers
19 and many other informal sector workers proving
20 employment is next to impossible and proving
21 continuous employment will be not possible at all.
22 Also, making workers dependent on their employers
23 in order to legalize will make them even more
24 vulnerable where unscrupulous employers will take
25 advantage of their situation. Also, there should

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2 be more protections for workers because currently
3 undocumented workers when they see some problems
4 in the workplace are afraid to speak up for fear
5 of being reported to the immigration authorities,
6 and as a result not only undocumented workers, but
7 all workers in that sector suffer. So there is
8 other protection that needs to happen - - also the
9 e verify program has a lot of problems. There
10 have been a lot of mistakes, and unfortunately it
11 is the workers who end up paying the price of a
12 technical problem and so e verify should not be
13 made mandatory at all, and the problems within the
14 program should be addressed even for those who opt
15 into the program as well. The other aspect of the
16 visa program that I want to touch upon is the u
17 visa and t visa programs for workers who have
18 experience or witnessed serious forms of abuse.
19 The way those visas are currently defined do not
20 protect a lot of workers, and we want to make sure
21 that these visas can be available for those who
22 have experience with - - or fraud in workplace or
23 by immigration fraud as well. The final point I
24 want to make sure that all families and loved ones
25 are kept together, and that means reducing visa

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2 backlogs and making sure that family members'
3 visas are not cut - - current proposal to limit
4 who counts as family is very disturbing, and so
5 this will just keep families separated for longer,
6 and that includes both extended family as well as
7 LGBTQ families as well, and so want it to be more
8 inclusive, not exclusionary. And also a small
9 point is that however long the process takes we
10 want to make sure that in the interim period the
11 people who are waiting to adjust their status have
12 all the rights, including the right to travel
13 outside of the United States so they can visit
14 their family and loved ones. And thank you very
15 much for this opportunity.

16 CHAIRPERSON DROMM: Thank you,
17 Luna. Max?

18 MUBASHA AHMED: Good afternoon,
19 Chairman Dromm. Thank you for the opportunity to
20 share my family story with you today. My name is
21 Mubasha Ahmed--Max, if you will, and I am
22 testifying today representing the New York
23 Immigration Coalition and a population that has
24 come to be known as dreamers. I came into New
25 York as an 11 year old boy who left his home

1
2 country abruptly. My family faced a difficult
3 choice when my sister, Aliza [phonetic], needed
4 medical treatment that was not available in our
5 home country. We came to the U.S. to receive
6 lifesaving treatment for her, but we were denied
7 visas to continue to reside in the country while
8 she continued to receive the long term care she
9 needed. Disabled, my sister has been able to
10 thrive here and graduate from high school thanks
11 to initiatives for the disabled, which would not
12 have been available to us back home. Rather than
13 leaving my sister and separating our family, my
14 father made the choice to keep our family together
15 and stay here in the United States. I am a
16 beneficiary of that decision. I have recently
17 graduated from the City College of New York from
18 the Groves School of Engineering with my
19 bachelor's in chemical engineering. Today I am
20 working in the education program at the New York
21 Immigration Coalition, where I have been able to
22 advocate for policies to ensure equal access to
23 increased educational opportunities for immigrant
24 students, English language learners and their
25 families. This would not have been possible had

1
2 it not been for the immigration policy called
3 deferred action for childhood arrivals. This
4 allowed me to obtain my work authorization and a
5 job offer from the NYIC as well as a social
6 security number as of yesterday, my driver's
7 license. Thank you. My family's story is not
8 unlike the millions of families across the
9 country, coping with our nation's failed
10 immigration policy. That is why I am here today
11 to join you in urging Congress and President Obama
12 to enact just and humane immigration reform. I am
13 here because like you I know that our current
14 immigration system needlessly separates families
15 for years, offers few avenues for people to live
16 here legally and lacks basic procedural
17 safeguards. I am here because I know a rational
18 and forward looking solution is possible, a
19 solution that provides a true path to citizenship
20 unimpeded by the pretense of border security first
21 that strengthens families by preserving their
22 ability to reunite and reducing lengthy visa wait
23 times, a system that honors workers and ensures
24 fundamental due process guarantees at every stage
25 of the immigration process. In closing on behalf

1
2 of the New York City dreamers, the New York
3 Immigration Coalition, I wish to give you my
4 deepest regards and thanks for your resounding
5 commitment to New York City's immigrant
6 communities. The City Council has long been a
7 leader, and can serve as a model for other cities
8 in welcoming immigrants, recognizing their vital
9 contributions to the vitality of our city, state
10 and nation. The New York Immigration Coalition
11 believes this resolution is in line with the City
12 Council's historical commitment to New York City's
13 immigrant communities. We would also urge the
14 Council to be forward thinking and begin to
15 prepare for immigration reform by establishing a
16 solid infrastructure of legal and support services
17 to ensure that as many eligible people as possible
18 get on the path to citizenship when Congress
19 enacts immigration reform. Chairman Dromm, we
20 know that you support the immigrant community. We
21 have seen you out there in the community. So I
22 just want to personally give you a heartfelt thank
23 you for the work that you are doing here and for
24 supporting us. Thank you.

25 CHAIRPERSON DROMM: Thank you very

1
2 much, Max. I really appreciate that. I just want
3 to check. Angela, your group supports LGBT
4 inclusivity?

5 ANGELA FERNANDEZ: Yes.

6 CHAIRPERSON DROMM: Emerald Isle?
7 Everybody?

8 MUBASHA AHMED: Yes.

9 CHAIRPERSON DROMM: Okay. I thank
10 you all for coming in first of all, and I thank
11 you for your testimony. I know that--as a follow
12 up, Angela, I want to ask are all children in
13 proceedings in New York City represented?

14 ANGELA FERNANDEZ: No. No.

15 CHAIRPERSON DROMM: So even
16 children--

17 ANGELA FERNANDEZ: [interposing]
18 Yes, and actually, the one within CIR, President
19 Obama has proposed that there be appointed counsel
20 for people who have mental disabilities and
21 children, and the ACLU now has a class action suit
22 on behalf of individuals with mental disabilities
23 so they can seek free legal counsel.

24 CHAIRPERSON DROMM: Very sad.
25 Okay. I think that is it. I just want to say

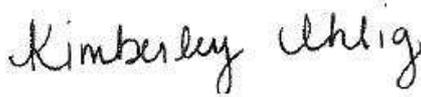
1
2 thank you again to everybody. Thank you to the
3 panel for coming in. I really appreciate you
4 being last but not least, and perhaps, most
5 importantly heard Max's story. Congratulations on
6 your driver's license. Maybe I'll meet you on the
7 road. To Luna and to everybody, I feel like we
8 are all friends 'cause I am getting to know
9 everybody so much on a personal level at this
10 point, but thank you all for coming and for being
11 with us today. At this point, this meeting is
12 adjourned.

13 [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 _____

Date 4/18/13