

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON IMMIGRATION

Jointly with

COMMITTEE ON GENERAL WELFARE

And

COMMITTEE ON HEALTH

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November 15, 2018  
Start: 1:13 p.m.  
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HELD AT: Council Chambers - City Hall

B E F O R E: Carlos Menchaca  
Chairperson

Mark Levine  
Chairperson

Stephen T. Levin  
Chairperson

COUNCIL MEMBERS:

Adrienne Adams  
Diana Ayala  
Vanessa L. Gibson  
Mark Gjonaj  
Barry S. Grodenchik

COUNCIL MEMBERS: Brad S. Lander  
Antonio Reynoso  
Rafael Salamanca, Jr.  
Ritchie J. Torres  
Mark Treyger  
Alicka Ampry-Samuel  
Inez D. Barron  
Mathieu Eugene  
Keith Powers  
Daniel Dromm  
Robert F. Holden  
I. Daneek Miller  
Kalman Yeger

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

Raluca Oncioiu  
Catholic Charities

Nicholas Freudenberg  
CUNY School of Public Health

Sienna Fontaine  
Make the Road New York

Bitta Mostofi  
Mayor's Office of Immigrant Affairs Commissioner

Grace Bonilla  
Administrator of HRA

Sonia Angell  
Deputy Commissioner at DOHMH

Miguelina Diaz  
Hunger-Free NYC

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

Hannah Scott  
Westside Campaign Against Hunger

Jerome Nathaniel  
City Harvest

Rachel Sabella  
No Kid Hungry NYC

Claudia Calhoon  
New York Immigration Coalition

Rose Duhan  
Commission Health Care Association of New York

Nyasa Hickey  
BDS

Hasan Shafiqullah  
Legal Aid Society

Paula Arboleda  
Bronx Legal Services

Tanya Wong  
Legal Services of NYC

Justine Kahn  
The Door

Alice Bufkin  
Citizens Committee for Children

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

Alisha Mohammed  
HIV Law Project

Marla Tepper  
Planned Parenthood

Ernie Collette  
NYC Bar Association

Dimitri Glinski  
Russian-Speaking Community Council

Carlyn Cowen

Albert Cahn  
CAIR

Emma Cathel [sp?]

Joseph Lavelle Wilson  
NYLAG

Sandhya Pradhan  
Adhikaar

Persephone Tan  
Asian American Federation

Mae Lee  
Chinese Progressive Association

Selvia Sikder  
India Home

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

Kerry Sesil  
Arab-American Family Support Center

Eunhye Grace Kim  
Korean Community Services of Metro New York

Tasfia Rahman

Kiroko Hatanaka  
Japanese-American Social Services

Danny Alicea  
Center for Family Representation

Faith Behum  
UJA

Anthony Feliciano

Mark Valinoti  
NMIC



2 CHAIRPERSON MENCHACA: Buenos tardes,  
3 everyone. My name is Carlos Menchaca. I am the  
4 Chairman of the New York City Council's Committee on  
5 Immigration. I want to start by saying that some of  
6 you might be here for this hearing, for the  
7 Immigration, Health, and General Welfare, but if  
8 you're here for the Correctional Health Hearing,  
9 Chair Powers of the Criminal Justice and-- this is a  
10 joint committee with Health and Hospitals. That  
11 hearing is now on the 14<sup>th</sup> Floor of City Council 250  
12 Broadway, and you can make your way over there. I  
13 would like to thank the Speaker of the City Council  
14 for his commitment to this issue. He'll be joining  
15 us a little later today. I also want to thank our  
16 Chairs of General Welfare and the Health Committees,  
17 Council Member Steve Levin and Mark Levine for their  
18 partnership and for their commitment to protecting  
19 the health and well-being of our City's immigrant  
20 residents and families. I would also like to  
21 recognize the members of the Immigration Committee  
22 who have joined us. We have Council Member Holden  
23 here and Barry Grodenchik as well from Queens,  
24 Council Member from Queens is here as well. Today,  
25 the Committee on Immigration along with the

2 Committees of General Welfare and Health will examine  
3 the Trump Administration's newly proposed rule to  
4 dramatically expand the standard of Public Charge.  
5 This is not just dramatic, it's draconian. This  
6 includes a list of public benefits that the Federal  
7 Government would treat as negative factors in Visa  
8 and Green Card applications. Along-- or among the  
9 public benefits included in the expanded rule that is  
10 proposed are SNAP, Housing Assistance, Medicaid, and  
11 Medicare Part D. We will hear from the members of  
12 the public, the advocates, as well as the  
13 Administration who will be able to speak on how this  
14 proposal will impact New York City and its residents.  
15 In addition to holding this joint Oversight Hearing,  
16 the Committee on Immigration is hearing two  
17 Resolutions today, Reso. 608 sponsored by the  
18 Speaker, authorizing the Speaker to submit a public  
19 comment on behalf of the Council to the Federal  
20 Register concerning the proposed change to the Public  
21 Charge Rule; and Resolution 609 sponsored by the  
22 Speaker opposing the newly proposed Public Charge  
23 Rule and urging the Federal Government not to move  
24 forward with its adoption. As Council Members of the  
25 City, it is our responsibility to protect the rights

2 and welfare of all our residents, including the 3.1  
3 million immigrants who call this city home. Our  
4 immigrant community is an essential part of the  
5 City's fabric, our history, and the vibrancy that we  
6 each enjoy every single day. New York City would not  
7 be what it is without them, without our immigrant  
8 heritage. At its core, this proposed rule is an  
9 assault on immigrant communities, including our  
10 City's own immigration community and part of the  
11 Federal Government's patchwork of anti-immigrant  
12 policies. It effectively penalizes immigrants and  
13 immigrant families when they are poor, forcing  
14 immigrants to choose between their well-being and  
15 being able to stay in this country lawfully. By  
16 targeting benefits that help families with food,  
17 housing, and healthcare, this proposed rule will  
18 deeply harm our communities. According to the  
19 preliminary estimate by the Mayor's Office of  
20 Immigrant Affairs, who we'll hear from today, an  
21 estimated 475,000 New Yorkers could be harmed by this  
22 Public Charge proposal. This includes 75,000 who  
23 must choose between accessing benefits they are  
24 legally entitled to or possible future adverse  
25 immigration consequences and 400,000 who are not

2 currently eligible to receive benefits, but would  
3 face possible future adverse immigration consequences  
4 due to their age, health, income, etcetera.

5 Furthermore, this number does not include the  
6 additional hundreds of thousands of immigrant New  
7 Yorkers who may dis-enroll from or forgo public  
8 benefits because of fear and confusion surrounding  
9 the proposed rule, which unfortunately we are already  
10 witnessing in New York City and across the nation.

11 For immigrant families who rely on public benefits,  
12 but already experience barriers accessing benefits,  
13 this proposed rule would widen those existing gaps.

14 For example, in the Asian-Pacific Islander community,  
15 which has the highest rate of poverty of all racial  
16 ethnic groups in New York City at nearly 25 percent,

17 APIs are frequently under-enrolled in health  
18 insurance and other social safety-net programs,  
19 despite their high need due to factors including  
20 limited outreach, language access, and funding. This

21 proposed rule serves as another barrier that would  
22 prevent vulnerable immigrant communities from

23 accessing benefits that are critical in caring for  
24 their health and well-being. However, this rule is  
25 not final. It is not final. It is not final, and

2 until it is, we will continue to fight against it and  
3 with all of you. As part of this rule-making  
4 process, members of the public may submit comments to  
5 the Federal Government about this rule will impact  
6 them, their families and their neighbors. The  
7 comment period ends on December 10<sup>th</sup>. The comment  
8 period ends on December 10<sup>th</sup>, and there are over  
9 54,000 comments that have already been submitted and  
10 posted to the Federal Register, and I encourage you  
11 all to submit your comments as well to add the  
12 collective voice opposing this inhumane policy. We  
13 have laptops here set up in the Chambers so you can  
14 submit your own comment, and I hope you will join us  
15 in sharing your own opposition, your own unique story  
16 to this proposed rule by submitting a comment today.  
17 And they are on that corner over there. Raise your  
18 hand, team. Thank you so much, team, for being here.  
19 We have laptops ready to submit your register. Can I  
20 just get a show of hands how many people have already  
21 submitted something on behalf of yourself or your  
22 organization? Please raise your hand. Very cool.  
23 Thank you. Please raise your hand if you will  
24 commit in public-- I don't think the cameras on you,  
25 but I'm going to take a picture, because this is the

2 kind of commitment that I want. How many of you will  
3 commit to putting a comment on the Federal Register?  
4 Raise your hand. All of you. And I want to take  
5 that very seriously here. Every voice should be  
6 heard in this city, in this country, and we're  
7 already at half of the proposed-- not the proposed.  
8 We're already at half of the goal of 100,000  
9 comments. If we can slow this down enough, we might  
10 win this battle on Public Charge. So, I want to  
11 thank my staff as well who has helped to prepare this  
12 day today, my Senior Advisor, Caesar Vargas [sp?], my  
13 Chief of Staff, Chociata Ming [sp?], my  
14 Communications Director, Tony Cherioto [sp?], and the  
15 whole committee staff, the Counsel, Harbani Alusia  
16 [sp?], Committee Policy Analyst, Elizabeth Cronk  
17 [sp?], Finance Analyst, Jen Lee [sp?]. And with  
18 that, I'm going to hand this over to my Co-Chair,  
19 Steve Levin.

20 CHAIRPERSON LEVIN: Thank you very much,  
21 Chair Menchaca. Good afternoon, everybody. I'm  
22 Council Member Steve Levin, Chair of the Council's  
23 Committee on General Welfare. I'm pleased to join my  
24 colleagues, Council Member Carlos Menchaca, the Chair  
25 of the Immigration Committee, and Council Member Mark

2 Levine, Chair of the Health Committee to this very  
3 important hearing on a very serious matter, the  
4 Federal proposed Public Charge Rule. The Federal  
5 Administration's proposed rule newly includes public  
6 benefits like Supplemental Nutrition Assistance  
7 Program, SNAP, as an assessment of whether lawfully  
8 present immigrants deserve to stay in the country.  
9 SNAP is the cornerstone of the nation's safety net.  
10 The Nutrition Assistance Programs, providing  
11 assistance to millions of families to be able to  
12 provide food for their loved ones. In New York City  
13 alone over 1.6 million residents depend on SNAP  
14 benefits to care for their family's well-being. The  
15 impact this would have on our City's communities  
16 cannot be overstated. SNAP helps lift families out  
17 of poverty and provides economic benefit for  
18 communities. Every SNAP dollar spent by recipients  
19 generates one dollar and 79 cents in economic  
20 activity, and every one billion dollars of SNAP  
21 benefits creates 9,000 full-time jobs. The economic  
22 impact of this proposed rule on New York City would  
23 be devastating, potentially up to 25,000 full-time  
24 jobs. When we talk about the Amazon issue, that's  
25 how many jobs could be lost by this proposed rule

2 alone. More importantly, we are concerned about the  
3 chilling effect this could have on New York City. I  
4 look forward to talking with the Administration about  
5 what we can do to mitigate this. The proposed rule  
6 and leaked versions have already caused significant  
7 fear and confusion and could lead to hundreds of  
8 thousands of immigrant New Yorkers dropping out of  
9 benefit programs or not accessing services that they  
10 are eligible for, including those beyond the scope of  
11 the proposed rule. The Supplemental Nutrition  
12 Program for Women, Infant and Children, otherwise  
13 known as WIC, was included in earlier leaked drafts  
14 of the proposed rule change, but were not included in  
15 the final proposed rule. However, Public Health  
16 Solutions, which runs the largest community-based WIC  
17 program in New York State has already seen large  
18 drops in enrollment in their WIC program following  
19 the leaked rule. Low-income women, including  
20 immigrant women are disproportionately the primary or  
21 sole income earner in their households. The impact  
22 this would have on New York's families is alarming.  
23 This rule also comes at a time when the need for food  
24 assistance programs is greater than ever. According  
25 to the American Public Health Association, household

2 food insecurity has jumped 17.8 percent among  
3 immigrant families living in United States in 2017  
4 from 9.9 percent in 2007. How alarming is that? 9.9  
5 percent to 17.8 percent in just 10 years. We need to  
6 be expanding access to social services and food  
7 assistance, not making it harder for people to access  
8 basic programs. As SNAP and WIC enrollment decline,  
9 the capacity of food pantries is also likely to be  
10 strained. HRA, through the Emergency Food Assistance  
11 Program, EFAP, administers funding and coordinates  
12 the distribution of shelf-stable food to more than  
13 1,000 food pantries and community kitchens citywide,  
14 reaching a total of 1.4 million New Yorkers. And the  
15 need is increasing. Hunger-Free America found that  
16 New York City's food pantries and soup kitchens fed  
17 six percent more people in 2017 than the previous  
18 year. This proposed Public Charge Rule would likely  
19 further increase this demand. I want to thank Barry  
20 Grodenchik who has been our champion here at the City  
21 Council over the last several years on expanding  
22 EFAP, and we've been successful in that endeavor. I  
23 want to thank the Speaker as well. Today, we seek to  
24 learn how the proposed Public Charge Rule could  
25 potentially impact immigrant New Yorkers and their

2 families and what we as a city can do to fight  
3 against it. I'll say that this proposed rule comes  
4 from a mean, dark, xenophobic, and racist place.  
5 Sadly, these trends are not new in American society.  
6 Just go to Ellis Island to see the popular anti-  
7 immigrant sentiment at that time. But we have always  
8 fought against, and the voices of inclusion have  
9 always defeated the forces of exclusion. We must do  
10 this once again. I'd like to thank the General  
11 Welfare staff for their work in preparing today's  
12 hearing, Council Amenta Killawon [sp?], Policy  
13 Analyst Tanya Cyrus and Crystal Pond, and Finance  
14 Analyst, Julie Harmiss [sp?], as well as Council  
15 Staff from the Immigration and Health Committees.  
16 I'd also like to thank my Legislative Director,  
17 Elizabeth Adams, and my Chief of Staff Jonathan  
18 Bouche [sp?]. Lastly, I would like to thank the  
19 members of the Administration who have come here to  
20 testify. Thank you. I'll turn it back over to our  
21 Chair.

22 CHAIRPERSON MENCHACA: Thank you, and our  
23 Chair for the Health Committee, Council Member Mark  
24 Levine.

2 CHAIRPERSON LEVINE: Thank you, Chair  
3 Menchaca. Thank you, Chair Levin. I'm happy to be  
4 together in this very important fight. Immigrants  
5 are under assault in the Trump era on many, many  
6 fronts, and this hearing is focused on the latest  
7 line of attack. The Public Charge policy  
8 unfortunately is not getting the attention it  
9 deserves, and today is in part about shining a light  
10 on this and mobilizing the people of the City to push  
11 back. The truth is that this policy change is no  
12 less serious of a threat than the assaults on DACA,  
13 and certainly more imminent a threat than the  
14 President's absurd and outrageous idea of revoking  
15 Birthright Citizenship or his bizarre obsession with  
16 building the wall. This is a threat which is imminent  
17 and serious and must be confronted head-on. And let  
18 me be clear about what's at stake in this Public  
19 Charge Rule change. If this goes through it will  
20 bring about nothing short of a public health crisis  
21 for this city and for this country. This rule change  
22 will mean reduced participation in Medicaid, reduced  
23 participation in SNAP and housing assistance, and  
24 much, much more as my colleagues have detailed. This  
25 means that families in this city will forgo neonatal

2 care. They will forgo annual check-ups and  
3 vaccinations and preventive healthcare in general.  
4 This rule change would exacerbate a frightening trend  
5 already underway in the Trump era, of immigrants  
6 documented and otherwise showing greater and greater  
7 reluctance to go to see a doctor until they land in  
8 medical crisis, forcing them into the emergency room.  
9 This is already having alarming medical consequences.  
10 As we for example in the resurgence of tuberculosis  
11 in New York City after decades of decline, a change  
12 that can almost exclusively be attributed to the  
13 reluctance of immigrants who are most vulnerable to  
14 contract this disease from seeking medical care  
15 because of the climate of fear created by the Trump  
16 Administration. And the truth is that TB and all  
17 microbes, they don't care what your party  
18 registration is or what your documentation status is.  
19 They affect every segment of the population. So,  
20 this hearing is in part about making it clear that  
21 what would perhaps seem like an obscure bureaucratic  
22 change in policy, in fact, would have deadly real  
23 world consequences for immigrants, for their  
24 families, for all of us, and this City is going to do  
25 everything in our power to stop this threat, to

2 embrace and support the immigrants who make this city  
3 the greatest city in the world, and we're going to  
4 protect our people in this era of attacks from a  
5 hostile Administration in Washington. And as my  
6 colleagues have mentioned, every single person who is  
7 watching this hearing, who is taking part of this  
8 hearing in person or online can and should make their  
9 voice heard. And as the Chairman mentioned, if  
10 you're here in person you'll have a chance to do that  
11 by offering a comment on one of the computers that we  
12 have available. If you're watching at home or  
13 following us online, you can, too. It's a very  
14 simple URL you can visit:

15 [Protectingimmigrantfamilies.org](http://Protectingimmigrantfamilies.org), which gives you a  
16 very simple user-friendly way to speak out in your  
17 own words about why you see this as a threat to the  
18 well-being of this country. I look forward to  
19 discussing with the Administration about their plans  
20 to educate, to inform, and to mobilize, and of  
21 course, hearing from our many important advocates for  
22 the immigrant community, and people who themselves  
23 will be affected in our discussion today. Thank you  
24 again, Mr. Chair, and back to you.

2 CHAIRPERSON MENCHACA: Thank you, Chair  
3 Levine, and we are joined here by Council Members  
4 Gjonaj, Powers, Ayala, Salamanca, and Adams, and  
5 Dromm and Grodenchik. Thank you, and we are going to  
6 call our first panel, and this is our community  
7 panel, Catholic Charities, Riluca -- okay, we'll get  
8 your name. Okay, first, that's Catholic Charities.  
9 Second one is CUNY Urban Food Policy, Professor  
10 Nicholas Frodenberg [sp?], and the last one is Make  
11 the Road New York, Sienna Fontane [sp?]. Collect  
12 testimony over here. We want to give you each three  
13 minutes. We're going to be putting a clock on our  
14 testimony. We have many folks that want to testify  
15 today. We want to hear from everyone. I appreciate  
16 if you can-- if you can use your testimony as an  
17 opportunity to focus on things that have not been  
18 spoken to as we kind of go through the larger  
19 discussions and really kind of focus on some of the  
20 things that we need to think about as a committee  
21 with members here present to listen. We've also been  
22 joined by Council Member Alicka Ampry-Samuel. You  
23 can please start. Make sure that the light is red on  
24 the--

25 RALUCA ONCIOIU: It is.

2 CHAIRPERSON MENCHACA: Perfect.

3 RALUCA ONCIOIU: Thank you. Good  
4 afternoon. My name is Raluca Oncioiu. I am the  
5 Director of Immigration Legal Services and the  
6 Immigration Hotline of Catholic Charities Community  
7 Services, and I'm here today to testify both on  
8 behalf of our Division of Immigrant and Refugee  
9 Services and of our Case Management Department about  
10 the effect that we're already seeing on the ground in  
11 our communities, even though at this point this rule  
12 is just a proposal and not a final rule. What has  
13 already been said, what these proposed federal  
14 regulations do is significantly alter who will be  
15 granted a Green Card, who will get the extended  
16 visas, and who will get to change their status. But  
17 it also, stokes confusion and uncertainty even among  
18 the people who would not be affected by it. I would  
19 like to tell you a little bit about the Immigration  
20 Hotline and the role that it's played so far in  
21 confronting this crisis of confusion. The hotline is  
22 a state-funded hotline. It's available toll-free,  
23 and it's mission is two-fold. It seeks to provide  
24 basic information, correct information to those who  
25 have immigration questions, not legal advice, just

2 basic information, and then to give them referrals to  
3 nonprofit agencies that can offer them legal services  
4 for free. One of the things that the hotline can do  
5 is partner with media to hold phone banks whenever  
6 there are issues that are affecting large portions of  
7 our immigrant communities. These phone banks reach  
8 far and wide. They're not possible without  
9 partnership from the New York Immigration Coalition,  
10 city agencies, state agencies, and of course, other  
11 legal service providers who send us volunteers to  
12 increase capacity during the phone banks. The phone  
13 banks are also a very effective means of  
14 communicating information and reducing confusion  
15 because they're televised, and they feature  
16 interviews with attorneys who can answer questions.  
17 they also usually-- at the end of a phone bank we  
18 would have either a town hall event or a Facebook  
19 Live panel, which can be accessed by a lot more  
20 people. And I would tell you that in anticipation of  
21 the publication of these regulations, city agencies,  
22 New York Immigration Coalition, other agencies that  
23 work with immigrants came together and put together a  
24 plan of how we will respond once the regulations are  
25 released. As part of this response, we organize a

2 phone bank. The phone bank took place on October 2<sup>nd</sup>  
3 and October 3<sup>rd</sup> and, of course, Carlos Menchaca was  
4 on-hand to observe it, so thank you for that, and I  
5 will tell you a little bit about what we were able to  
6 tell from this phone bank. So, on October 2<sup>nd</sup> we had  
7 20 volunteers. We answered 366 calls and we made 542  
8 referrals. On October 3<sup>rd</sup>, we had 25 volunteers. We  
9 answered 471 calls, and we made 692 referrals. The  
10 total for the two days was 837 calls and 1,233  
11 referrals. The Facebook Live panel that concluded  
12 the phone bank on October 3<sup>rd</sup> reached more than  
13 14,000 people and got more than 4,000 views. The  
14 calls revealed high levels of anxiety and confusion.  
15 Although the proposed changes will not affect every  
16 immigrant family, what we saw is that those who  
17 believe that it will are making life-altering  
18 decisions that further entrench them in poverty.  
19 Forty percent of the calls we got were from legal  
20 permanent residents who are worried about renewing  
21 their green cards, traveling or applying to become  
22 U.S. citizens. A lot of them actually misunderstood  
23 the proposed regulations and thought that they would  
24 no longer be eligible for public benefits. Fourteen  
25 percent of the calls were from U.S. citizens who are

2 concerned about the effect of their taking of public  
3 benefits would have on their ability to successfully  
4 petition for family members. Ten percent of them, of  
5 the calls, were people who had pending applications  
6 or who are intending and had a possibility of  
7 applying for a green card, and now they were worried  
8 that they wouldn't be able to do so because their  
9 family members had been receiving benefits. Six  
10 percent of the calls were about benefits that would  
11 not even factor into a determination on Public  
12 Charge. So, the benefits that were mentioned before,  
13 WIC, for example. Thirteen percent of the callers  
14 reported taking Medicaid; 10 percent reported taking  
15 SNAP, and five percent subsidized housing. In  
16 addition to these calls that came from the phone  
17 bank, the hotline also answered another 337 calls  
18 during October. This brings the total of calls about  
19 Public Charge that we answered to 1,107-- I'm sorry--  
20 to 1,174 calls in the month of October. That's 36  
21 percent of the total number of calls we received. If  
22 you compare this to September, in September we only  
23 had 34 calls about Public Charge. That was two  
24 percent of the calls that we received in September.  
25 So, from two percent to 36 percent. People are

2 worried. The calls that we received outside of the  
3 phone bank, again, 40 percent were from legal  
4 permanent residents who are convinced that the fact  
5 that they were taking benefits would disallow them  
6 from becoming citizens. We also anecdotally had two  
7 phone calls from U.S. citizens who were afraid they  
8 would be de-naturalized because they were taking  
9 benefits. Twenty-three percent of the calls we got  
10 concerned receipt of public benefits by U.S.  
11 citizens, including children, and how that would  
12 affect family members applying for green cards or  
13 Visas. Seventeen percent of the callers were  
14 undocumented. Some had pending green card  
15 applications. Thirty-eight percent of all callers  
16 were receiving Medicaid. Thirty-three percent were  
17 receiving SNAP; 17 percent subsidized housing, and  
18 eight percent SSI. Seventeen percent of the calls,  
19 again, were about benefits that would not be included  
20 in a Public Charge determination and are not part of  
21 the proposed rules. I know I'm running out of time,  
22 but I wanted to tell you from our case management  
23 perspective an example of a real-life story behind  
24 these numbers. Manuel, he's a day laborer. He lives  
25 with his wife and three U.S. citizen children. The

2 family couples together income from various  
3 employment services, much of which is seasonal and  
4 unpredictable. After much encouragement, the wife  
5 applied for SNAP for the children. Upon learning  
6 about the proposed change in the Public Charge Rule,  
7 Manuel closed the case. All I want to do is work and  
8 take care of my family by myself. I'm a good worker.  
9 I can get another job. Manuel already works two  
10 jobs. When his case manager reminded him that he can  
11 access food at our local food pantry and that there  
12 are no consequences under the proposed Public Charge  
13 rules for getting food from a food pantry, Manuel  
14 respectfully declined. One last story: Roberto is a  
15 9/11 responder. He developed a debilitating chronic  
16 illness as a result of his participation in the  
17 clean-up effort. He receives regular medical care at  
18 a local hospital, and he's described as a hard-  
19 worker, kindly man, and someone who is very rule  
20 abiding. Roberto is in the process of fixing his  
21 immigration status. However, he does not currently  
22 have work authorization. During most of the time in  
23 the U.S., Roberto lived with his brother who  
24 supported him throughout this process, but last year  
25 his brother's failing health prompted him to relocate

2 out of state to be with his children. Roberto  
3 remained in New York City but was unable to maintain  
4 the apartment. Unable to work or pursue public  
5 assistance, which he was afraid of doing, Roberto  
6 eventually had no recourse but to enter the shelter  
7 system, but he managed to make the best of it. It  
8 was always his intention to resume employment upon  
9 resolving his legal status. Recently, Roberto came  
10 to the hospital, uncharacteristically unkempt. When  
11 his nurse took his vitals it was clear that his  
12 health was deteriorating. It was then when he  
13 revealed that he left the shelter because of the  
14 proposed change in the Public Charge Rule. He was  
15 under the impression that being in a shelter will  
16 disqualify him from ever legalizing his status in the  
17 U.S. He was now sleeping in 24/7 store at night and  
18 staying in various coffee shops during the day. He  
19 ate in soup kitchen and gathered recyclables redeemed  
20 for cash. He walked to his appointment at the  
21 hospital on an empty stomach from Brooklyn to  
22 Manhattan. Those are just some of the stories behind  
23 the numbers that we're hearing for the hotline. I  
24 want to conclude by saying that the hotline is ready  
25 at any point to partner with everyone who's concerned

2 about this to hold more phone banks, more Facebook  
3 Live panels, because it's a very efficient way of  
4 getting the message out there. Thank you.

5 CHAIRPERSON MENCHACA: Can you give us  
6 the number of this hotline, please?

7 RALUCA ONCIOIU: I'm sorry, I should do  
8 that. I should know it by heart. It is 800-566-  
9 7636, 800-566-7636, and it operates Monday through  
10 Friday from 9:00 a.m. to 8:00 p.m. It's toll-free  
11 and we speak up to 200 languages through an  
12 interpreter service. Our operators speak eight  
13 languages.

14 CHAIRPERSON MENCHACA: Thank you. And I  
15 just want to say, we're going to try to keep it to  
16 time, but I think what was really important is the  
17 data and the stories that are behind the fear that  
18 we're trying to understand right now. So thank you  
19 so much for the fullness of your testimony today.  
20 Professor?

21 NICHOLAS FREUDENBERG: Good afternoon.  
22 Thank you.

23 CHAIRPERSON MENCHACA: Make sure your mic  
24 is on. Yeah.

2 NICHOLAS FREUDENBERG: I'm Nicholas

3 Freudenberg [sp?], distinguished Professor of Public  
4 Health at the City University of New York School of  
5 Public Health and the Director of the CUNY Urban Food  
6 Policy Institute. Our institute provides evidence,  
7 policy analysis and advocacy and assistance to other  
8 organizations to help solve urban food problems. And  
9 I'm honored to testify at today's and to assess the  
10 impact of the proposed change in rules regarding the  
11 public charge determination for non-citizens. While  
12 the proposed changes have the potential to produce a  
13 variety of negative health, social and economic  
14 consequences, my testimony will focus on the impact  
15 on food security for immigrant families and  
16 communities in New York City. And while this hearing  
17 is focused on the proposed change in the public  
18 charge rules, it is important to note that the White  
19 House and Congressional Republicans have enacted or  
20 proposed other changes that could worsen food  
21 insecurity here in New York City. These include  
22 proposed cuts in SNAP funding, new work requirements  
23 for SNAP beneficiaries, more aggressive enforcement  
24 of immigration rules, and a concerted campaign to  
25 raise the level of fear among immigrants. Because

2 each of these changes has the potential to exacerbate  
3 the negative impact of the others, in my testimony  
4 today, I'm going to discuss the cumulative  
5 consequences of the cascade of proposed changes  
6 rather than only focus on the public charge rule.  
7 And I think the study that Chairman Levin quoted  
8 before, released this week by the American Public  
9 Health Association, provides the first scientific  
10 evidence of the fact that this proposed change is  
11 already having an impact, and that reinforces the  
12 anecdotal impressions that I think many of us in the  
13 room already have. Why is food insecurity and food  
14 security important in New York City? A robust body  
15 of public health evidence demonstrates the negative  
16 consequences of food insecurity and hunger on  
17 children, families and communities. Compared to food  
18 secure individuals, those experiencing food  
19 insecurity are at higher risk of behavioral and  
20 cognitive problems, coronary heart disease, diabetes,  
21 hypertension, depression, physical inactivity and  
22 poor health status. Food insecure learners of all  
23 ages, from preschool to college, are less likely to  
24 achieve academic success than their food-secure  
25 peers, and our studies at CUNY have identified about

2 60,000 food insecure students at the City University  
3 of New York, many of whom are immigrants. Food  
4 insecurity is also associated with overweight and  
5 obesity, since those with inadequate resources for  
6 food are more likely to choose the less-expensive,  
7 calorie-dense but nutrient poor foods. A study that  
8 we published--

9 CHAIRPERSON MENCHACA: [interposing]

10 Professor, I'm going to ask you to pause here. Can  
11 you skip over to the policy recommendations and  
12 options that you have?

13 NICHOLAS FREUDENBERG: Yes. Thank you.

14 And I think the key challenge for the City Council  
15 and for all of us in the room is to say, "What are we  
16 going to do about this?" And in the coming weeks,  
17 our institute in consultation and in partnership with  
18 several food security and immigrant service  
19 organizations will propose a set of policy and  
20 funding recommendations that will enable an immediate  
21 response to the threat of growing food insecurity,  
22 and we welcome your feedback and the participation  
23 and partnership of other groups. So, here are a few  
24 of the ideas that we're proposing. That we add  
25 incentives or discounts for healthy food to IDNYC,

2 the New York City Municipal Identification Card.

3 There are already some food benefits. City Council

4 funding for more would put healthy food in reach. We

5 propose increasing the number of trusted community

6 sites, churches, schools, community agencies where

7 immigrants and other food insecure families can pick

8 up food. The notion of being able to trust the place

9 where you get food is something we heard repeatedly

10 in our interviews and survey. Third, we propose

11 expanding support for emergency food programs to use

12 mobile technology to schedule visits or deliver food

13 to user's homes to allay immigrants' concerns about

14 frequenting public places. Fourth, we propose

15 strengthening in the infrastructure for distributing

16 and storing healthy food in programs that are already

17 serving food to vulnerable populations. Many

18 frontline groups report difficulties in serving the

19 people who come to them because of inadequate

20 infrastructure and staffing. We propose enabling

21 community organizations to expand outreach and

22 education to ensure that food insecure individuals,

23 whatever their immigration status are welcome, and to

24 lead campaigns against stigma. And finally, we

25 support providers serving immigrant populations to

2 supplement federally supported benefits for non-  
3 citizen family members such as summer meals for  
4 parents and older siblings of school children  
5 eligible for federal program, to use city and state  
6 funding's to supplement those federal programs to  
7 provide additional food. As the City's immigrant  
8 populations become more vulnerable and afraid of  
9 using public benefits, city and state officials can  
10 also strengthen and enforce vigorously other policies  
11 that support their economic well-being, from  
12 enforcement of wage laws and minimum wage to access  
13 to affordable housing. And this puts more money in  
14 the pockets of immigrants and allows them to get more  
15 food. Ultimately--

16 CHAIRPERSON MENCHACA: [interposing]

17 Professor, I'll pause you there. I want to go to the  
18 next panel, and know that we have your written  
19 statements, and we want to work with you to develop  
20 these concepts and ideas, and so I hope that you can  
21 work with us and the committees to further that.

22 NICHOLAS FREUDENBERG: We're committed to  
23 doing that. Thank you.

24 CHAIRPERSON MENCHACA: Awesome. Thank  
25 you so much.

2 SIENNA FONTAINE: Good afternoon. Thank  
3 you, Council Members, the Committee on Immigration,  
4 General Welfare and Health. My name is Sienna  
5 Fontaine I'm the Co-Legal Director at Make the Road  
6 New York. Thank you for the opportunity to speak to  
7 you today regarding this proposed rule. As we've  
8 already heard and as we'll hear throughout the rest  
9 of the day, the proposal has already begun to have  
10 the impact that we can agree it was intentionally  
11 designed to have, striking fear in the hearts and  
12 minds of immigrant communities. This is a direct  
13 attack as was said, mentioned earlier. As you know,  
14 Make the Road New York is a nonprofit community-based  
15 membership organization with over 23,000 low-income  
16 members dedicated to building the power of immigrant  
17 and working class communities to achieve dignity and  
18 justice through organizing, policy innovation,  
19 transformative education, and survival services. We  
20 operate five community centers in Brooklyn, Queens,  
21 Staten Island, Long Island, and now West Chester.

22 CHAIRPERSON MENCHACA: So I'm going to  
23 pause you there and ask you to go right to--

24 SIENNA FONTAINE: Sure.  
25

2 CHAIRPERSON MENCHACA: your  
3 recommendations, please.

4 SIENNA FONTAINE: Sure. So, as you can  
5 see, we have a story in our testimony. I think the  
6 important thing here is the information that needs to  
7 be put out and the campaign that we need to really  
8 engage in to inform our communities. We have seen  
9 hundreds of folks coming into our offices just  
10 recently, and you know, wanting to know about what  
11 they should do, that they're planning to dis-enroll,  
12 and for the most part there are many people who are  
13 eligible and will not be impacted by this rule. And  
14 so the information campaign that the City has already  
15 begun to engage in with Make the Road, with other  
16 providers in this room, is going to be critical.  
17 Another piece that is not mentioned in the testimony,  
18 but is the information that private attorneys in the  
19 private bar and immigration attorneys are sharing  
20 with their clients and encouraging them to get off  
21 benefits when they shouldn't be, and so I think it's  
22 going to be critical to figure out resources in ways  
23 to really get to the bar, and private attorneys that  
24 are not necessarily engaged in some of the work that  
25 folks here are, to make sure that they are not giving

2 incorrect recommendations to their clients, and it's  
3 striking fear in doing that. And so that's something  
4 that we hope that the City Council will really engage  
5 in and work with us on in terms of this intense kind  
6 of campaign to make sure that the information is out  
7 there. We list, you know, the other policy  
8 recommendations, working with community-based  
9 organizations to supplement the services that we know  
10 that they will need as they dis-enroll despite the  
11 campaign of information that we hope to engage in.  
12 Increasing those immigration legal services and legal  
13 services for benefits providers who are going to be  
14 on the front lines and doing screenings. And lastly,  
15 we really encourage the City, which I know will be  
16 discussed later, but to submit comments strongly  
17 opposing this and really highlighting the  
18 introduction of heavily weighted negative factors and  
19 its discriminatory attempt, and so we hope that the  
20 City will take that into consideration. Thank you.

21 CHAIRPERSON MENCHACA: Thank you. So, I  
22 want to thank all of you for really helping set the  
23 tone for the different areas of impact, and each and  
24 every one of you are going to be part of our kind of  
25 collective city work to further not just the outreach

2 campaign but get to the root of not just the fear but  
3 the return to access of all these programs that are  
4 available, especially for those who are just under-  
5 enrolled, and I think that's been a theme here in  
6 this first panel. And if it's okay with the Chairs  
7 I'm going to move to the next piece unless you had  
8 questions. I want to welcome a-- thank you to the  
9 first panel for, again, for setting the tone for  
10 this. I want to hand it over to our Speaker, Corey  
11 Johnson, who never fails to join and lead in real  
12 strong voice for every New Yorker, including our  
13 immigrant New Yorkers. we know that the work that  
14 the Council's going to do is going to require the  
15 most from every single one of us, and I think he's  
16 going to be at the front of all this as we move  
17 forward to find solutions. Speaker?

18 SPEAKER JOHNSON: Thank you, Chair  
19 Menchaca. As the Chair said, my name is Corey  
20 Johnson. I'm Speaker of the New York City Council,  
21 and I want to thank the Chairs of the Immigration,  
22 General Welfare, and Health Committees, Council  
23 Members Carlos Menchaca, Steve Levin, and Mark Levine  
24 for spearheading the Council's effort to holding our  
25 government accountable to the City's immigrant

2 residents and their families. We are proudly a  
3 sanctuary city. In this mind-boggling time when our  
4 military, our proud service members that we honored  
5 over the weekend, are deployed to bar entry to a  
6 group of asylum seekers in a brazen political stunt  
7 that serves no legitimate purpose. During these  
8 times we want New York City to stand as a beacon on a  
9 hill showing a different way and path forward. Ever  
10 since the first link of a Public Charge Rule in  
11 February of 2018, we have been preparing for this  
12 hearing, especially Chair Menchaca, and the work that  
13 still remains to establish a path forward for all  
14 immigrant New Yorkers that does not undermine our  
15 city's policy making authority for our residents and  
16 does not result in a public health crisis that I hear  
17 is looming on the horizon because of this inhumane  
18 proposal. While some form of a Public Charge Rule  
19 has been part of U.S. Immigration Law for more than a  
20 hundred years, the Federal Government, as you've  
21 heard in the opening statements and in the first  
22 panel, and I want to thank those panelists for being  
23 here, the Federal Government is now proposing a rule  
24 that would drastically, dramatically reduce the  
25 number of people eligible for a green card or a visa.

2 This includes significantly expanding the list of  
3 public benefits that are subject to a public charge  
4 determination such as SNAP, non-emergency Medicaid,  
5 Medicare Part D, and federally funded housing  
6 assistance. Forcing individuals to forgo accessing  
7 critical benefits that they are eligible for,  
8 mothers, children, the elderly is cruel and is un-  
9 American. This is not a surprise, sadly, from a man  
10 who came to the White House promising to build a  
11 wall-- I saw on CNN when I walking after he was  
12 meeting with Republican Senators right now to  
13 continue talking about the wall-- to build a wall to  
14 divide us, and it has ramped up a war on immigrants  
15 with cruel policy after cruel policy. It is not a  
16 surprise, but it is certainly a total disgrace, and  
17 one that we will not let pass by without putting up a  
18 fight. Today, I am sponsoring two resolutions that  
19 are being heard by these committees. Resolution 609  
20 calls on the Federal Government to reconsider its  
21 proposed Public Charge Rule. The underlying  
22 assumption of Public Charge is that individuals only  
23 have value if they are 100 percent self-sufficient  
24 from birth to grave. It doesn't take an expert to  
25 realize the logical fallacy in such a crazy

2 assumption. Sometimes people need a little help.  
3 There's really no shame in that. People say people  
4 need to be pulled up by their boot straps. If you  
5 don't have boot straps, how you going to get pulled  
6 up? My own family struggled when I was a child. We  
7 lived in public housing when I was nine years old  
8 until I graduated high school at 18 years old, and  
9 thank God we had it. I am now Speaker of the New  
10 York City Council, serving the city that I love as  
11 best as I can, and I wouldn't have got here today if  
12 it wasn't for the help that's been provided to me.  
13 What this policy is doing is making it so that people  
14 who need some help, food, food stamps, or Medicaid,  
15 or housing assistance like my family had, they are  
16 now being told they're not welcome here in our  
17 country. That is absurd. Our immigrant neighbors  
18 and friends contribute every day so much to this city  
19 and to this country. Like many native-born  
20 Americans, they sometimes need a helping hand. There  
21 is nothing wrong with that. Let's not penalize them  
22 for it. And if you look at the big picture, we are  
23 not just penalizing them. Our society as a whole  
24 will suffer. Across the nation we're already seeing  
25 a drop in enrollment for benefit programs included

2 and excluded from the rule because of the fear this  
3 has incited. If families, if children lose access to  
4 SNAP, housing assistance, Medicaid, and Medicare Part  
5 D, we will invariably see rises in homelessness,  
6 taxed food pantries, and higher rates of reliance on  
7 emergency rooms and hospitals across this city and  
8 across the country. I don't think anyone wants that  
9 or in any way thinks it is helpful to our city or to  
10 our country. I look forward to hearing from this  
11 Administration who has been a great partner on all of  
12 the work we've done on immigration. I want to thank  
13 the MOIA Commissioner for being here, for her  
14 steadfast and consistent leadership. I look forward  
15 to hearing from them about any changes in enrollment  
16 that they are seeing and ways in which they are  
17 planning to respond programmatically to the  
18 heightened need of New Yorkers resulting from this  
19 proposed rule, and I hope that we come away from  
20 today with an accurate picture of the proposed Public  
21 Charge Rule and a renewed promise to immigrant New  
22 Yorkers and their families that the City of New York  
23 not only values its foreign-born residents, but is  
24 also committed to their success by offering city-  
25 funded benefits and programs unaffected by this

2 proposed rule. And I also want to talk briefly about  
3 Resolution 608 which authorizes myself, the Speaker  
4 of the City Council to submit a public comment as  
5 part of this process on behalf of the entire City  
6 Council calling on the Federal Government to  
7 reconsider its proposed rule regarding the Public  
8 Charge. As part of the federal rule-making process,  
9 all members of the public are invited to submit a  
10 comment concerning the real life impact this rule  
11 might have should it go into effect. While this  
12 resolution would authorize me to submit a public  
13 comment on behalf of the City Council, on behalf of  
14 the municipal legislature in the City of New York, I  
15 know that the most valuable comments are honestly not  
16 from me. They are from those made by members of the  
17 public who will be directly affected by this rule,  
18 whether that be in your families, your neighborhoods,  
19 or your jobs. We have laptops set up for the public  
20 who is here today to complete a comment before you  
21 leave, or you can submit a comment on your own time  
22 by going to [regulations.gov](https://www.regulations.gov). The comment period will  
23 close December 10<sup>th</sup>, 2018 at 11:59 p.m. I am proud,  
24 so proud, to serve in such a diverse city, and I have  
25 no intention of standing by idly by. None of us do

2 in this council. As this Federal Administration  
3 targets our residents and immigrants across this  
4 country. I hope you will join me in sharing your own  
5 dissatisfaction and disgust with this new rule by  
6 submitting a public comment. Again, I want to thank  
7 Chairs Menchaca, Levin and Levine for your commitment  
8 to this issue. I especially want to thank my dear  
9 friend Carlos Menchaca who has been an incredible  
10 leader on all issues related to immigrants and  
11 immigration in our city, never stopping to-- stopping  
12 the drum on behalf of immigrants who are affected,  
13 and I really am grateful we're having this hearing  
14 today. You know, there is something so wrong and  
15 despicable with the assault and cruel and inhumane  
16 measures that are being proposed every single day by  
17 Steven Miller and other racist, xenophobic folks  
18 inside of the White House, and at every opportunity  
19 that we have as a body we will stand up. We will  
20 fight back. We will publicly fight back because we  
21 know what is at stake here. We know what history is  
22 teaching us when segments of society are targeted and  
23 targeted and scapegoated, and it becomes, I guess, a  
24 bit of a daily nightmare, and it's not of course as  
25 traumatic for me as it is for folks who have to go

2 through living under this fear and cloud, but this  
3 weighs on all of us psychologically to have to be  
4 able to see what's going on, and I believe when  
5 history looks back they will ask who spoke up and who  
6 didn't speak up, and when history is written they  
7 will see that this City Council stood up and spoke  
8 up. Thank you, Chair Menchaca.

9 CHAIRPERSON MENCHACA: Thank you, Speaker  
10 Johnson, for your words and your encouragement and  
11 that leadership that we're going to need every single  
12 day as we fight not just on Public Charge, but really  
13 everything that is in an onslaught impacting our  
14 immigrant families. With that, we are going to hear  
15 from our Administration, and we have here leading the  
16 Administration's testimony Commissioner Bitta  
17 Mostofi. We have also Grace Bonilla from the New  
18 York City Human Resources Administration, HRA, and  
19 Sonia [sp?] the Deputy Commissioner at DOHMH, Angen?  
20 [sic] Angell, Angell. We are going to swear you in  
21 now. Thank you so much for being here today, and if  
22 you can all raise your right hand our counsel will  
23 swear you in.

24 COMMITTEE COUNSEL: Do you affirm to tell  
25 the truth, the whole truth and nothing but the truth

2 in your testimony before this committee and to  
3 respond honestly to Council Member questions?

4 COMMISSIONER MOSTOFI: I do.

5 COMMITTEE COUNSEL: Thank you.

6 COMMISSIONER MOSTOFI: Thank you to the  
7 Speaker, to Chair Levin, Chair Levine, and Chair  
8 Menchaca, members of the Committees on General  
9 Welfare, Health, and Immigration. My name is Bitta  
10 Mostofi. I'm the Commissioner for the New York City  
11 Mayor's Office of Immigrant Affairs. I'm joined  
12 today by my colleagues from the Department of Health  
13 and Mental Hygiene and the Department of Social  
14 Services. Thank you very much for calling a hearing  
15 on this important topic. The foundation of a fair  
16 and just society is the moral responsibility we carry  
17 to help those in need. That responsibility underlies  
18 the work that city agencies do every day, whether we  
19 are providing medical care to pregnant women, helping  
20 families get the food they need, or assisting tenants  
21 to afford their rent. Ultimately, we are doing this  
22 because we understand that helping those in need is  
23 the right thing to do. The Trump Administration's  
24 proposed rule on inadmissibility on Public Charge  
25 grounds by contrast is an un-American, immoral attack

2 on hardworking immigrant members of our society, and  
3 one that is cruelly designed to inflict harm. The  
4 proposed rule would have a devastating effect in New  
5 York City if finalized. One of the most insidious  
6 aspects of this proposal is that it has already  
7 created widespread confusion and fear, even though no  
8 change has taken effect. I want to repeat, no change  
9 has taken effect. I also want to emphasize to the  
10 community that the City's services are still  
11 available and will remain available even if the  
12 proposed rule were to ever be finalized. Starting  
13 from when the proposed rule was still a rumor, the  
14 Administration has worked with other city agencies  
15 and local, state, and national partners to counteract  
16 fear and misinformation. We have worked to educate  
17 and inform the community, help people access one-on-  
18 one support and facilitated opportunities for  
19 concerned New Yorkers to make their voices heard. In  
20 my testimony today I will give a brief overview of  
21 the proposed Public Charge Rule, its harm-- harms  
22 that it will inflict on New York City and New Yorkers  
23 and will then describe the steps the city has taken  
24 since the proposed rule was published and our plan  
25 for opposing the rule moving forward. Existing

2 immigration laws provide that an applicant for  
3 admission to the United States, who is or is likely  
4 to become a Public Charge, can be denied a green card  
5 or visa. For the past 20 or so years this analysis  
6 was limited to considering receipt of cash assistance  
7 for income maintenance or government supported  
8 institutionalization for long-term care. This  
9 limitation was intended to end a damaging confusion  
10 and fear about who would face negative immigration  
11 consequences and to alleviate dangerous public health  
12 and nutrition consequences. Despite this  
13 longstanding policy, on October 10<sup>th</sup>, the Federal  
14 Government published a rule that would create a much  
15 broader definition of Public Charge. The proposed  
16 rule would do this by expanding the list of public  
17 benefits that would be considered and by changing the  
18 way immigration authorities determine whether someone  
19 is likely to become a Public Charge. If the proposed  
20 rule were adopted, the list of public benefits to be  
21 considered would be much broader than just the cash  
22 assistance and institutionalization for long-term  
23 care as is the practice now. The proposal would also  
24 consider Supplemental Nutritional Assistance Program,  
25 also called food stamps, non-emergency Medicaid, low-

2 income subsidies for Medicare Part D for prescription  
3 drugs, and public housing and Section 8 vouchers, and  
4 rental assistance. In addition, the proposed rule  
5 would change the way immigration authorities  
6 considered the likelihood that someone will become a  
7 public charge. Under current law and policy, the  
8 government weighs various factors such as age, health  
9 and income to determine whether someone will become a  
10 Public Charge, but someone who presents an affidavit  
11 of support from a friend or family member, for  
12 example, is generally not considered likely to become  
13 a Public Charge regardless of these other factors.  
14 By contrast, the proposed rule would require each  
15 factor to be considered separately. This would make  
16 it much more probable that immigrants would be  
17 considered likely to be a Public Charge even if they  
18 have never been eligible for benefits or received  
19 benefits, and even if they have an affidavit of  
20 support. Taken together, this proposed rule  
21 represents a dramatic departure from existing federal  
22 policies that will harm low and income immigrant  
23 families. Because of the great degree of  
24 misinformation and anxiety that has surrounded this  
25 proposal, I want to address a number of things that

2 this rule would not do. Notably, the published  
3 proposed rule is more limited than some leaked draft  
4 and does not reach as far as some rumors have  
5 suggested. First, the only public benefits that the  
6 proposed rule would treat as negative factors would  
7 be those expressly listed. There are many benefits  
8 that are no enumerated in the proposal, including  
9 WIC, reduced-price or free school lunches, emergency  
10 medical assistance, discounted healthcare services  
11 for the uninsured, foster care and adoption, Head  
12 Start, and other benefits. These benefits and others  
13 not listed would not be counted against an applicant  
14 for a green card or a visa. Second, the proposed  
15 rule would only apply to benefits after the rule is  
16 finalized. It is not proposed to be retroactive. An  
17 individuals' receipt or benefits today and up until a  
18 final rule takes effect would not be considered in a  
19 public charge determination. Third, the proposed  
20 rule would only consider an applicant's own use of  
21 benefits when making the Public Charge determination.  
22 Benefits used by a child, a spouse, family or  
23 household members or other dependents would not be  
24 considered as a negative factor concerning an  
25 application. Last, the proposed rule exempts many

2 categories of immigrants from its scope based on  
3 immigration law. Public Charge inadmissibility does  
4 not apply to green card holders and applicants for  
5 citizenship. The rule also excludes refugees and  
6 asylees [sic], applicants and re-registrants from  
7 temporary protected status, special immigrant  
8 juveniles, self-petitioners under the Violence  
9 Against Women Act, U-visa holders, and others. The  
10 proposed rule has not gone into effect, but if  
11 finalized, the proposed rule would harm hundreds of  
12 thousands of New Yorkers. As written, the proposed  
13 rule would force many immigrants to choose between  
14 access to crucial public benefits and regularizing  
15 their immigration status. This impossible choice has  
16 already created anxiety and confusion that existing  
17 federal policy, as I noted, was meant to prevent. We  
18 have heard disturbing reports as we did from the  
19 panel previously about immigrants withdrawing from or  
20 considering withdrawal from public services due to  
21 this confusion. We are deeply concerned about these  
22 reports, and we're committed to monitoring and  
23 combatting this fear. These harms are not unintended  
24 side effects. This proposed rule appears to be  
25 designed to hurt hardworking immigrant families in

2 the name of self-sufficiency. The City wants New  
3 Yorkers, including immigrants, to access our benefits  
4 and services, because these services help people get  
5 the assistance they need so that they can get back on  
6 their feet. New York City knows that immigrants make  
7 us stronger. We reject the lie that immigrants are a  
8 drain on our resources. As just one example, in 2017  
9 immigrants contributed an estimated 195 billion  
10 dollars to the City's GDP, or about 22 percent of our  
11 overall GDP. If it goes into effect, the proposed  
12 rule will have grave effects on public health and  
13 general well-being of New Yorkers. I want to  
14 highlight the broad harm that the rule could cause.  
15 If the rule were finalized, we estimate up to 475,000  
16 immigrant New Yorkers could be directly harmed. Up  
17 to 75,000 of those immigrants are currently eligible  
18 for crucial benefits and may be forced to choose  
19 between receiving those benefits and future adverse  
20 immigration consequences, but the bulk of those who  
21 could be directly harmed, some 400,000 immigrants,  
22 are those not eligible for benefits, but who could be  
23 deemed a Public Charge in an immigration application  
24 simply because of their age, their health conditions,  
25 education, reemployment history, or income and assets

2 among other factors. We fear that hundreds of  
3 thousands more New Yorkers, including U.S. citizens  
4 and immigrants who are not subject to the proposed  
5 rule may withdraw from benefits or forgo benefits for  
6 which they are eligible. We are already working to  
7 combat this large-scale chilling effect. Lastly,  
8 the proposed rule would hurt the City's economy. If  
9 finalized, we estimate that the City's economy would  
10 lose at least 420 million dollars annually in public  
11 benefits support and economic activity. I want to  
12 emphasize for New Yorkers that this proposed rule has  
13 not gone into effect. It remains possible that the  
14 proposed rule will never go into effect. Moreover,  
15 even if the rule were to go into effect, it would not  
16 change eligibility requirements for public benefits  
17 programs. The proposal is exactly that, a proposal  
18 that must face public scrutiny and comment. The  
19 public can weigh in on the proposed rule until  
20 December 10<sup>th</sup>, and I encourage interested New Yorkers  
21 to make their voices heard by submitting comments as  
22 you can do here today. Turning to the City's  
23 response to the proposal. The City has tracked this  
24 issue closely since the first days of the Trump  
25 Administration when a leaked draft Executive Order

2 revealed that the Administration intended to target  
3 immigrant youth of public benefits. Our focus  
4 throughout this process has been ensuring that the  
5 community and stakeholders have information they  
6 needed. We're encouraging individuals to make their  
7 voices heard about the potential proposal and  
8 providing avenues for New Yorkers to get more  
9 information and the help that they need. Once the  
10 leaked draft regulations appeared in the media in  
11 early 2018, MOIA immediately began working with our  
12 sister agencies. We work to ensure that New York  
13 City's immigrant communities and other cities were  
14 well-informed about the issue. We briefed agency  
15 heads and city leadership in the spring, and  
16 dedicated a section to this issue at the Cities for  
17 Action Conference in May. After the Department of  
18 Homeland Security posted the draft language of the  
19 rule, we immediately began working to analyze the  
20 proposal and formulate a response. Shortly after, we  
21 produced talking points for agency staff and a public  
22 facing information flyer in all of the City's local  
23 law languages. Through interagency collaboration  
24 with DOHMH, DSS, New York City Health + Hospitals and  
25 other agencies, we were able to distribute

2 information about the Public Charge Rule to thousands  
3 of frontline staff. Commissioner Banks sent a letter  
4 to staff noting that no policies had changed on the  
5 federal or citywide level. Doctor Katz sent a  
6 similar letter to New York City Health + Hospitals  
7 staff. H+H also published a Public Charge 101 column  
8 in its All Staff weekly newsletter, and hosted a  
9 webinar open to all staff led by the New York Legal  
10 Assistance Group. During this time, the City also  
11 worked with Catholic Charities, as you heard, the  
12 Hispanic Federation, New York Immigration Coalition,  
13 Univision, the State's Office of New Americans, and  
14 LDREO [sic] to organize a phone bank and Facebook  
15 Live event to help provide accurate and important  
16 information to the public. As you heard, 43  
17 volunteers answered about 800 calls and made over  
18 1,200 referrals, and 14,000 people viewed the  
19 Facebook Live event. Many of the calls to the phone  
20 bank were from lawful permanent residents concerned  
21 about accessing benefits. Many of the Facebook Live  
22 questions were from immigrants concerned that their  
23 usage of public benefits would impact their ability  
24 to petition for family members in the US and abroad.  
25 The Administration also hosted a community and ethnic

2 media roundtable on Public Charge and the 2020 census  
3 as part of City Hall in your borough in Queens where  
4 I spoke alongside Deputy Mayor Thompson, Commissioner  
5 Banks, HRA Administer Bonilla, Elmhurst Hospital CEO  
6 Israel Rocha [sp?]. We provided information about  
7 the scope of the rule, the harms to immigrant New  
8 Yorkers and emphasized that services remain available  
9 to all regardless of immigration status. The City is  
10 continuing to organize Know Your Rights events across  
11 the City and for different communities to circulate  
12 accurate information about the scope of the proposed  
13 rule and how individuals can get the help that they  
14 need. These efforts to provide accurate information  
15 are a crucial part of our effort to mitigate the fear  
16 and the harm that we already saw building in our  
17 communities. The City and its services remain open.  
18 If New Yorkers are afraid or need help, they should  
19 connect with ActionNYC by calling 311 and saying  
20 ActionNYC. We have also held multiple briefings for  
21 different advocates and elected representatives. In  
22 October we worked with the Council and its members to  
23 hold a briefing for staff. We also held briefings  
24 for the state and federal elected officials, the  
25 Borough Presidents, poverty advocates, faith leaders,

2 and multiple consulates. Our goal has been to make  
3 sure that many partners across the City are educated  
4 on this issue so that they can integrate this issue  
5 into their work and weigh in on the proposed rule.  
6 We are engaged in advocacy in opposition of the rule.  
7 We have consistently and publicly denounced the Trump  
8 Administration's proposal to punish immigrants and  
9 their families for seeking help they need. MOIA and  
10 our sister agencies are currently working with other  
11 cities to develop comments on the proposed rule. We  
12 are also working to activate community members,  
13 advocates, and community-based organizations to weigh  
14 in and communicate their views. All New Yorkers are  
15 welcome and encouraged to make their voices heard on  
16 this important issue. We've tried to make this  
17 easier in providing a portal through our website.  
18 New Yorkers can simply go to [nyc.gov/publiccharge](https://nyc.gov/publiccharge) to  
19 read about the rule and submit comments directly to  
20 the Federal Government. The Public Charge proposed  
21 rule has shown why it's so vital for the City to  
22 provide immigration legal services. The best way for  
23 New Yorkers to understand how the proposed rule might  
24 affect them is by seeking immigration legal services.  
25 With the historic investment in legal services form

2 the Mayor and the City Council, MOIA has been able to  
3 work with other city agencies, legal services  
4 provider community and community partners to provide  
5 high-quality immigration legal services and help for  
6 community providers build their own capacity.

7 ActionNYC providers have already been trained on  
8 Public Charge and are ready and able to provide  
9 individual guidance to immigrant New Yorkers. We

10 have also worked, as noted, with the Office for New  
11 Americans hotline operated by Catholic Charities to  
12 ensure community members can reach reliable

13 information and get referrals. I want to thank the  
14 Committee Chairs for calling this important hearing  
15 and for the work that you are doing to make sure

16 communities have good information at this time. The  
17 trump Administration's proposed rule on Public Charge  
18 is a hateful and draconian attack on immigrants

19 working to make ends meet and keep food on the table,  
20 and it is vitally important for us to share accurate  
21 information and make sure that all New Yorkers know

22 how to make their voices heard. We are gravely

23 concerned both by the anti-immigrant sentiment behind  
24 the proposed rule and by the havoc it will wreak on  
25 our neighbors, family members, and communities. The

2 de Blasio Administration knows that the contributions  
3 of immigrant New Yorkers are a central part of what  
4 makes the City and country great. I am proud to  
5 stand alongside my colleagues across the  
6 Administration in the City Council and in our  
7 provider community to fight this proposed rule and  
8 work to ensure that all New Yorkers feel safe and  
9 welcomed getting the help that they need. Thank you.

10 CHAIRPERSON MENCHACA: Thank you,  
11 Commissioner, and to your team here, and for  
12 answering questions. I'm going to ask a first  
13 question and then hand it over to the Speaker and  
14 anyone else who has questions on the Chair-- for the  
15 Chairs. And really, when I'm thinking about the  
16 first panel and thinking about the hotline and what  
17 we're seeing already in the shifts in the hotline and  
18 the questions and the data that was presented, the  
19 stories about families who aren't even impacted by  
20 the Public Charge proposal or even Public Charge at  
21 all are having an impact, the healthcare crisis that  
22 we're already seeing and the food access issues.  
23 What is the most important thing, the single most  
24 important thing that you think this city, this  
25 Administration should be focused on right now? What

2 is-- out of all those things that are being presented  
3 to us-- it's incredibly overwhelming-- what's the  
4 single-most important thing that you think we should  
5 be focusing on and how are you putting resources  
6 towards that goal?

7 COMMISSIONER MOSTOFI: So, I'll say a  
8 couple of things. I think top line as you heard  
9 throughout the testimony, we think the most important  
10 thing is to fight back, ensuring that there isn't a  
11 final rule that ever goes into effect that would in  
12 fact inflict this harm on our communities. We feel  
13 as though there's something to be celebrated even if  
14 a small sliver of hope in the work that advocates,  
15 cities, other leaders did to push back against the  
16 broad leaked draft, in narrowing the scope of what  
17 was ultimately proposed, but there's still work to be  
18 done and we are centrally focused on ensuring that  
19 we're doing everything in our means to push back  
20 against a rule ever being finalized. I think  
21 secondarily we know that that chilling effect is  
22 already real and well underway. It's not, you know,  
23 rocket science to say that we need to do everything  
24 in our power in all of the different channels at our  
25 disposal to saturate good information and connect

2 people to resources and services. We've done that in  
3 many of the ways that we articulated, but our focus  
4 is really in that campaign to ensure that communities  
5 know that this is not a final rule, that they know  
6 that there are resources immediately available to  
7 them to get good information on what their individual  
8 impact might look like, and then for us to continue  
9 to work with our agencies to monitor what the impact  
10 is on the ground in terms of benefit utilization.

11 CHAIRPERSON MENCHACA: And very  
12 technically speaking, and really thinking about worst  
13 case scenario, if we do not win this battle at the  
14 federal level on Public Charge and that the Public  
15 Charge even with our 100,000 unique stories that  
16 should be enough to change the Federal Government,  
17 that we have a very specific problem in front of us.  
18 And it's not just impacted directly folks that will  
19 be impacted by Public Charge, but it's essentially a  
20 larger group of folks, even non-immigrants in our  
21 neighborhoods and the healthcare issue. So, what  
22 we're really speaking about here is increasing the  
23 access to services and really ensuring that no  
24 barrier exists and that the City understand the need  
25 there. In some ways we kind of do know some of that

2 need. A lot of it is information and confusion, but  
3 essentially what we're saying is that the City's  
4 going to have to then provide and the state. So, I  
5 kind of want to hear from you on that. What  
6 essentially worst case scenario are we doing to rev  
7 up for that, and what is the Administration doing to  
8 be ready to say we're going to take care of our New  
9 Yorkers, and here's the plan?

10 COMMISSIONER MOSTOFI: You know, so I'll  
11 say, we are singularly focused at this moment on  
12 mitigating the chilling effect and pushing back  
13 against the rule. We are in parallel working on the  
14 drafting of comment that we will submit, and in doing  
15 that work we are assessing with our sister agencies  
16 what they're seeing and what they're hearing in terms  
17 of what the real impact looks like. We have talked  
18 to organizations and others and had our own internal  
19 conversations around what would happen if this went  
20 into effect, and how could the City look at  
21 addressing the real concerns we have around access.  
22 So, those are conversations that we have begun in  
23 parallel to the work that we're doing. As I noted,  
24 we welcome feedback, the recommendations and ongoing  
25 conversations around what would look like the right

2 approach and ensuring that that access is not chilled  
3 [sic].

4 CHAIRPERSON MENCHACA: Okay, I'm going to  
5 hand this over to Speaker Corey Johnson.

6 SPEAKER JOHNSON: Thank you,  
7 Commissioner. Thank you all for being here today,  
8 for everything you're doing. Thank you for your  
9 detailed testimony and for the proactive coordinated  
10 approach that you all have taken since this first  
11 leaked. I really, really appreciate it. I have a  
12 couple of questions. Of course, we hope this rule is  
13 not enacted, but if for some reason it is, and the  
14 way it's been proposed, what do you think will be the  
15 immediate short term and long term needs of the  
16 impacted populations.

17 COMMISSIONER MOSTOFI: Thank you for the  
18 question. So, we did release the preliminary  
19 analysis that we spoke to in the testimony, and we  
20 are looking even further at understanding what the  
21 impact would look like beyond that, as a way of kind  
22 of taking the methodology that we already put forward  
23 on an impact analysis and going even deeper in  
24 understanding what we think the ramifications will  
25 be. In doing that, we are also, as I noted, in

2 parallel working with agencies who are in direct  
3 communication with frontline staff. Having both  
4 shared information on resources with them, but also  
5 receiving information from staff on impact, and I can  
6 turn to my colleagues to add to that. I think, you  
7 know, we have consistently in response to these  
8 federal proposals from the proposal determining DACA  
9 to TPS and others really focused on making sure that  
10 we are engaged with the community and with providers  
11 and partners so that we can be adequately responsive.  
12 We have been monitoring closely the calls that are  
13 coming into our ActionNYC hotline to understand are  
14 we, you know, do we need more resources there? Are  
15 we at capacity? Are we able to connect people with  
16 the resources that they need immediately? And we're  
17 going to continue to do that work kind of across all  
18 benefits utilization that the City administers.

19 SPEAKER JOHNSON: And where do you see  
20 gaps in existing services as we have to prepare for  
21 the worst? Where do you think those gaps exist right  
22 now?

23 ADMINISTRATOR BONILLA: So, as we look at  
24 what we're doing at HRA, one of the things that has  
25 been wonderful about the partnership that we have

2 with the City is that we have in our short history  
3 seen that we've been able to fight back what the  
4 federal administration has put forward. HEAP last  
5 year was a perfect example. I believe Commissioner  
6 Banks was in the middle of a budget testimony  
7 wondering what we do about HEAP when it was said that  
8 it would be taken off-- the Federal Government would  
9 no longer fund HEAP. That did not happen. So, I  
10 believe that what the Commissioner is saying is  
11 exactly true. We have recent history that says that  
12 if we all work together, there are certain things  
13 that will not happen that we can push back with the  
14 Federal Government. While we are having conversations  
15 about what we would need to do to mitigate any  
16 damages, we are singularly focused on making sure  
17 that we're responding to this rule, and that we could  
18 mitigate those damages. For example, SNAP is  
19 something that is new. It wasn't in the regulation  
20 before. We're hoping that we can push that back. We  
21 have not seen an impact where we could say that our  
22 numbers have changed because of this rule. So, we  
23 are, again, looking at everything that you're  
24 pointing to, Speaker, but we have not seen anything  
25 that points to the fact that we should start having

2 those conversations without really fighting back this  
3 rule.

4 SPEAKER JOHNSON: Thank you. Doctor  
5 Angell, I wanted to ask you about health impact. Of  
6 course we know that SNAP, Medicaid, Medicare Part D,  
7 housing assistance benefits, more than just an  
8 individual, that they're receiving. It also has  
9 indirect impacts or direct impacts on other members  
10 of the household that are living with someone who may  
11 qualify for these benefits, and some of those folks  
12 are folks who likely are U.S. citizens. As you work  
13 to quantify the impact of the new rule, how are you  
14 thinking about the health impacts on New York City  
15 households, and if the rule is enacted, how do you  
16 propose to ensure that we continue to strengthen the  
17 health and well-being of people who are affected?

18 DEPUTY COMMISSIONER ANGELL: Yeah, this  
19 is of considerable concern, obviously, because as you  
20 mentioned it's not just the individual; it is the  
21 family, and I would also say the community at large  
22 is impacted by that experience. As an agency we  
23 maintain a very high level of technical understanding  
24 of the impact. For example, people not seeking  
25 treatment for an infectious disease which then might

2 have a knock [sic] effect in terms of others in the  
3 community who might then contract it. We worry very  
4 much about, for example, if people don't seek  
5 services for TB treatment as a result of this, don't  
6 go to our sexual health clinics as a result of this.  
7 Based upon our understanding of treatment, we can  
8 then understand the larger impact that it has. We  
9 are in a position that we can model the broader  
10 impact of it, but I will echo what my colleagues here  
11 are saying is the most important thing at this time  
12 is that we mitigate the impact of this chilling  
13 effect right now because we remain and have always  
14 been open to services regardless of immigration  
15 status. We don't ask about immigration status when  
16 we provide our services. And so the most important  
17 thing is that we ensure people that they can continue  
18 to seek safely the services that they need now to  
19 keep themselves and their community healthy.

20 COMMISSIONER MOSTOFI: I'll just add one  
21 more thing to that which is to say that we-- one of  
22 the things that we did is we cross-trained city  
23 outreach workers including the public engagement unit  
24 that does get covered and speaks to individuals  
25 around health access. So, they have been trained on

2 what this is. They know how to be responsive and  
3 direct people to additional questions or individual  
4 questions that they might have, and a part of that,  
5 of course, is at this time using kind of everything  
6 at our disposal and assessing if there are additional  
7 gaps and making sure people have that information and  
8 know what they can access in terms of health and  
9 other needs.

10 SPEAKER JOHNSON: Commissioner, how many  
11 people work at MOIA? What's your headcount?

12 COMMISSIONER MOSTOFI: So, MOIA, our  
13 headcount, I'll have to get back to you exactly on.  
14 We work in partnership with other agencies including  
15 HRA, DSS, and DCAS, and have about 70 individuals who  
16 work across these agencies that focus on this work  
17 including outreach work.

18 SPEAKER JOHNSON: But approximately, how  
19 many people just work in your agency?

20 COMMISSIONER MOSTOFI: Approximately  
21 seven just in the agency.

22 SPEAKER JOHNSON: Well, you didn't expect  
23 this question and it wasn't planted by you to me, but  
24 given everything that you have had to grapple with as  
25 a small agency, I'm glad we're having budget hearings

2 for your agency now that the Chair conducted this  
3 past budget cycle, and we're going to continue. I  
4 think part of the conversation that we have to have,  
5 even though you have these great sister agencies with  
6 folks who are working on this, like the two amazing  
7 folks that you're seated in between, I think  
8 everything that you're having to deal with we need to  
9 have a conversation about what other infrastructure  
10 MOIA needs to be able to continue this coordination  
11 work, the proactive work, the advocacy that you're  
12 getting support that you need. I think it's a very  
13 important conversation to have, and I look forward to  
14 understanding what those potential needs are before  
15 the budget process begins so that we can continue to  
16 support the great work that you've done. I just have  
17 two more quick things. Allowing for privacy  
18 concerns, does the Administration have a sense of the  
19 numbers of public housing residents in New York City  
20 who may face adverse consequences pursuant to this  
21 new rule should it go into effect?

22 COMMISSIONER MOSTOFI: No, I think what's  
23 important to emphasize here is that individuals who  
24 are actually eligible for those kinds of services are  
25 not immediately impacted by this, right? You know,

2 one of the sort of false narratives that spun is that  
3 immigrants, particularly undocumented or other  
4 immigrants, are reaping benefit utilization, and  
5 that's absolutely not true. And so what we're more  
6 concerned about in those contexts is just that  
7 broader chilling effect and confusion around people  
8 not necessarily readily understanding that it doesn't  
9 apply to them, and making sure that through all of  
10 our agencies we're sharing the message so that they  
11 can address individual questions or concerns from  
12 residents.

13 SPEAKER JOHNSON: And what efforts in how  
14 many languages and with what frequency has the  
15 Administration attempted to explain the proposed rule  
16 change with potentially affected individuals?

17 COMMISSIONER MOSTOFI: So a number of  
18 things to date, though more to do certainly. One was  
19 a community and ethnic media roundtable where we had  
20 media from sort of a very diverse set of outlets  
21 representing various languages, of course. We  
22 translated our public facing flyer into the Local Law  
23 30 languages, so the top 10 languages, and have  
24 distributed that widely and as needed. We obviously  
25 did the phone banking in the Spanish language. We're

2 looking at doing something similar in other  
3 languages. We've set up community-based forums and  
4 provided interpretation in the language that the  
5 community or provider has requested. We've done that  
6 now at a few different locations and we'll continue  
7 to do that work. The hotline that we also have  
8 available in addition to the hotline, the ActionNYC  
9 team has access to interpretation services in up to  
10 200 languages, as do our legal service providers.  
11 So, we are always, you know, wanting to hear are we  
12 missing something? Do we need to translate into  
13 another language? Do we need to provide  
14 interpretation or workshops in a different language?  
15 And doing that we're working currently with  
16 community-based providers on Know Your Rights  
17 curriculum that includes this. And so for that we  
18 also provide translation and interpretation services.

19 SPEAKER JOHNSON: And are there any  
20 concerns that the proposed rule change could lead to  
21 fewer applicants for Section 8 vouchers?

22 COMMISSIONER MOSTOFI: You know, I think  
23 readily and the analysis that we're doing now is  
24 going to look deeper at this. Our concern is it  
25 could, yeah. You know, just understanding and

2 recognizing what we've heard anecdotally and what  
3 we've engaged in in community conversations with  
4 individuals on that confusion. People who are,  
5 themselves, legal permanent residents and don't  
6 recognize-- or don't know rather, that this does not  
7 impact them and would not, will be asking that  
8 question. So, it is imperative that sort of at every  
9 juncture in which they're going through their process  
10 not just in interacting with us, but faith intuitions  
11 and leaders and community-based providers, they're  
12 able to get access to good information.

13 SPEAKER JOHNSON: Because if that  
14 happened, it could exacerbate the already existing  
15 homelessness crisis that we have here in New York  
16 City. and lastly, is the Administration-- as the  
17 Administration is considering the broad ranging  
18 impact of the rule that you've discussed today, that  
19 all of you have discussed, has there been any  
20 engagement with the Governor's office or with State  
21 agencies on how to work together as we sort through  
22 the potential impacts?

23 COMMISSIONER MOSTOFI: So, the primary  
24 thing that we have done is looking at how we can most  
25 effectively and efficiently triage questions and be

2 responsive to issues as people raise them. That's  
3 the partnership that we have with the ONA [sic]  
4 hotline on the outreach and engagement work that  
5 we're doing here, letting people know that if what  
6 you need is kind of basic information, this is kind  
7 of where you can go. If you need individualized  
8 legal support you can come to us. The hotlines work  
9 together and triage in that way. It's a way for us  
10 all to be more effective and efficient in ensuring  
11 that we're reaching the broadest cross-section of New  
12 Yorkers in an effective way. We have always and will  
13 continue to be always open to engaging in  
14 conversations around utilization of benefits as we  
15 have in the past around DACA and TPS if a rule were  
16 to go into effect.

17 SPEAKER JOHNSON: Thank you,  
18 Commissioner. Thank you, again, to Chair Menchaca,  
19 to Chair Levine, and to Chair Levin, and also the  
20 public and advocates who are here to talk about this  
21 and to inform our thoughts and discussion about how  
22 to be most supportive of the Administration and all  
23 of you and the folks that you all serve. I really  
24 appreciate all the work you've done so far. Thank you  
25 very much.

2 COMMISSIONER MOSTOFI: Thank you.

3 CHAIRPERSON MENCHACA: Thank you, Speaker,  
4 for being here, and the-- I'm going to hand it over  
5 to Chair Mark Levine on Health, but before that I  
6 just want to get two clarifications. You spoke-- the  
7 Speaker asked about the relationship with the state  
8 right now. Has the Mayor made a call to the Governor  
9 himself about Public Charge, and to really kind of  
10 create a line of connection and communication? Has  
11 that happened at that level of the Mayor?

12 COMMISSIONER MOSTOFI: I am not aware.

13 CHAIRPERSON MENCHACA: Okay. It'd be  
14 great to see if there's anybody in inter-gov here  
15 that can-- I just want to make sure that that's  
16 happening. And the second piece is really just kind  
17 getting a clarification about the agencies that  
18 you're working with, all the agencies that you're  
19 working with right now. Can you just list them off  
20 right now? You mentioned that there's an agency  
21 taskforce, a group. We just want to get a list of  
22 all those agencies that are going to have impacted  
23 populations.

24 COMMISSIONER MOSTOFI: The list is long.  
25 I will give you--

2 CHAIRPERSON MENCHACA: [interposing] We're  
3 ready. We're ready.

4 COMMISSIONER MOSTOFI: Okay, I'll give  
5 you top line. So, some of the core, and I should say  
6 it includes our counterparts at City Hall as well  
7 that joined the taskforce and the coordination calls.  
8 It is of course, DSS, Department of Health, Health +  
9 Hospitals, ACS, we have included at different levels  
10 DFTA, Department of Probation,-- oh, goodness, you're  
11 really jogging my memory on everybody that joins  
12 these calls. Those are probably the core agencies  
13 that are a part of informing direct impact because of  
14 their service delivery, and because of the clients,  
15 if you will, that they have that are coming through  
16 them. Did I miss anybody that you guys-- okay.

17 CHAIRPERSON MENCHACA: So, like NYCHA,  
18 HPD?

19 COMMISSIONER MOSTOFI: Sorry, yes, HPD is  
20 a part of the conversation. NYCHA's a part of the  
21 conversation, yeah.

22 CHAIRPERSON MENCHACA: Okay, but not  
23 NYCHA?

24 COMMISSIONER MOSTOFI: Yeah, NYCHA has  
25 been a part of the broader agency group that's been

2 receiving information and materials, but HPD joins  
3 the calls.

4 CHAIRPERSON MENCHACA: Okay. Chair  
5 Levine.

6 CHAIRPERSON LEVINE: Thank you so much,  
7 Chair Menchaca, and that last question you asked is  
8 so critical, and just to put it delicately, if  
9 there's ever an area where we need the state and the  
10 city working together it's this, because all of these  
11 benefits are just a tangle of city and state and  
12 federal funding, and almost any solution we can think  
13 of that would blunt the impact is going to require  
14 total coordination. I'm sure you know this, but  
15 important to emphasize. You alluded to one of the  
16 most really I would say morally bankrupt components  
17 of this proposal which is the notion that someone  
18 with a pre-existing health condition who is not even  
19 consuming any publicly subsidized benefit today. So  
20 they're not on Medicaid. They're self-paying or not  
21 insured, but simply the presence of a pre-existing  
22 medical condition would actually prejudice their  
23 renewal of permanent residency. Is that accurate?

24 COMMISSIONER MOSTOFI: Yes, the Public  
25 Charge Rule has historically had this sort of

2 totality of the circumstance analysis as a part of  
3 it, but what this rule does that goes further that  
4 is, as you noted one of the most dangerous parts of  
5 it, is really hones in on the way that each  
6 individual factor like a pre-existing health  
7 condition would negatively affect that determination  
8 of future likelihood of being a public charge.

9 CHAIRPERSON LEVINE: So, you would be  
10 asked to present your medical history as part of the  
11 immigration interview?

12 COMMISSIONER MOSTOFI: You know, that's a  
13 great question and one that I think we can't give you  
14 a definitive answer to, so much as the way that this  
15 will take effect is the training that USCIF officers  
16 will receive, the guidance that they'll receive at  
17 the highest levels on what they're supposed to ask  
18 for or look for, but these are the factors that  
19 they're supposed to take into consideration. So they  
20 could readily request that information.

21 CHAIRPERSON LEVINE: It's really-- it's  
22 chilling to think that the government is going to be  
23 reviewing the health records and forcing people  
24 essentially to leave the country if they have some  
25 condition deemed to be-- deemed to make them

2 unworthy. I don't think focused on that, but that's  
3 not the kind of country that I want to live in, and I  
4 think virtually every New Yorker would agree with  
5 that. Do you have some clarification on this point?

6 COMMISSIONER MOSTOFI: No, I think what I  
7 said was accurate. They just want me to emphasize  
8 that somebody who's a green card holder and applying  
9 for renewal of that green card would not be subject  
10 to this.

11 CHAIRPERSON LEVINE: This would be for  
12 first-time applicants?

13 COMMISSIONER MOSTOFI: Yes.

14 CHAIRPERSON LEVINE: No less morally  
15 bankrupt--

16 COMMISSIONER MOSTOFI: [interposing] No  
17 less morally bankrupt.

18 CHAIRPERSON LEVINE: [interposing] in my  
19 opinion. I'm sure you totally agree.

20 COMMISSIONER MOSTOFI: Yes.

21 CHAIRPERSON LEVINE: You referenced that  
22 311 now is set up to receive questions from people  
23 who are concerned or scared or confused about this  
24 rule change, and you said that the code word, I  
25 think, was ActionNYC, which I can't imagine most

2 people would know. Probably they would say Public  
3 Charge. So, if I call and say I'm scared about the  
4 Public Charge rules, are the operators then trained--

5 COMMISSIONER MOSTOFI: [interposing] Yes.

6 CHAIRPERSON LEVINE: to respond to that?

7 COMMISSIONER MOSTOFI: Yes, so 311 has  
8 sort of two to three different paths. One is just  
9 Public Charge or benefits utilization, and the other  
10 is ActionNYC if you're directly asking for legal  
11 services. So, yes, they can be directed. I will  
12 say, and I think this is the credit to hopefully us,  
13 to you all, and to others, that where we're seeing  
14 the highest volume of calls is actually to our  
15 ActionNYC hotline directly, and I think that has a  
16 lot to do with existing, you know, work we did around  
17 outreach and engagement in advance of Public Charge  
18 and have continued to do as an Administration so that  
19 people-- we actually saw spikes the day that the  
20 proposal was announced. So, people kind of readily  
21 knew where to call to get information, and we've  
22 continued to see some spikes as the proposal went  
23 into effect, and more news-- sorry, was published,  
24 not went into effect-- and more news was generated.  
25 So many New Yorkers are finding their way in the

2 right ways, but we have corrected multiple sort of  
3 paths to ensure that nobody's kind of lost in the  
4 system.

5 CHAIRPERSON LEVINE: Right, but so just  
6 to clarify, so the operators on 311 are mostly  
7 referring to the hotline where people have all the  
8 training and expertise.

9 COMMISSIONER MOSTOFI: That's right.

10 CHAIRPERSON LEVINE: Is that right?

11 COMMISSIONER MOSTOFI: That's right.

12 CHAIRPERSON LEVINE: Okay, and the call  
13 just flips over direct to the hotline?

14 COMMISSIONER MOSTOFI: Yep.

15 CHAIRPERSON LEVINE: Okay, great.

16 Administrator Bonilla, I think that's-- we don't call  
17 you Commissioner Bonilla?

18 ADMINISTRATOR BONILLA: No, that's right,  
19 Administrator is fine.

20 CHAIRPERSON LEVINE: Okay, wonderful.  
21 You all have talked a lot about training community  
22 partners to help allay fears and dispel rumors and  
23 just get the facts to New Yorkers, but we also have  
24 government workers who in HRA a New Yorker could come  
25

2 in and say, "I want to unenroll from a certain  
3 benefit."

4 ADMINISTRATOR BONILLA: Sure.

5 CHAIRPERSON LEVINE: Are your staff now  
6 trained to say, "Hold on a minute, let's explain to  
7 you what the real threat is," and perhaps in that  
8 moment ease their fears so they don't un-enroll?

9 ADMINISTRATOR BONILLA: So what we did as  
10 soon as the draft of the rule came out was  
11 communicate with our frontline staff that nothing has  
12 changed, that they really need to emphasize that  
13 every New Yorker has a right to apply and go through  
14 the process of whether they're eligible or not.  
15 Knowing that we would have some portion of our  
16 clients walk in with that fear, what we have said to  
17 our staff is to make sure they have the flyer  
18 available if someone is asking questions about  
19 whether or not their eligibility is going to affect  
20 their immigration status. As you can imagine, this  
21 is complicated enough, and the last thing that we  
22 want is to have HI [sic] frontline staff parse out  
23 whether someone will be affected or not. So, what we  
24 hold true to is everyone has a right to apply,  
25 everyone has a right to access these benefits, and if

2 there's any question by anyone that walks in our  
3 doors, they also have the right to access the  
4 services that we have put so much money into to make  
5 sure they have the right information.

6 CHAIRPERSON LEVINE: Very good. I  
7 mentioned before the tangle of funding streams now  
8 that supports almost every benefit you could imagine,  
9 and that makes information sharing a challenge. Now,  
10 at the moment as we're assessing the threat it's  
11 important that city, state and even federal  
12 officials,-- the Fed Department not going to bargain  
13 with us on this-- can help to identify the scale of  
14 the threat, if you've done some of that. If the worse  
15 comes to pass and this rule change is implemented,  
16 then I'm not sure how I feel about information  
17 sharing, because I wouldn't want the immigration  
18 interviewer perhaps to know every benefit that the  
19 person interviewing is receiving. How is that a  
20 benefit that the state is providing would come to the  
21 attention of an immigration agent?

22 COMMISSIONER MOSTOFI: I can speak to  
23 that, top line. So, the primary thing is that when  
24 you're going through the immigration process and  
25 you're applying to become a legal permanent resident,

2 you're asked this question on your application  
3 subject to penalty of perjury.

4 CHAIRPERSON LEVINE: Self-reported,  
5 right?

6 COMMISSIONER MOSTOFI: Yes, and so I  
7 think that's the primary sort of initial affirmative  
8 way that people get that information. You also  
9 submit a medical exam as part of that process, and  
10 the-- you know, again, the underlying sort of factors  
11 and how the officers will be guided towards looking  
12 beyond the scope of the application is something that  
13 training and policy memoranda that USCIS will issue  
14 will tell us. That is-- that remains sort of a  
15 question mark of how far beyond the scope of the  
16 application itself that they will go. But at this  
17 time, as far as we know, there isn't that. It's  
18 self-reported.

19 CHAIRPERSON LEVINE: Okay. Doctor  
20 Angell, DOHMH's very sophisticated surveillance of  
21 countless health measures, do you know yet whether  
22 we're seeing any reduction of doctor's visits by New  
23 Yorkers who are fearful of this change, and whether  
24 we're seeing any spikes in any of the health  
25 conditions that you're monitoring, such as TB, that

2 might be attributable to New Yorkers being reluctant  
3 to seek medical care?

4 DEPUTY COMMISSIONER ANGELL: Yeah, we--  
5 reflecting what was just said, we've been very  
6 proactive in training all of our frontline staff to  
7 reassure people if they raise concerns that nothing  
8 has changed, that we continue to provide services  
9 regardless of immigration status. Because of the  
10 service provide don't require asking about  
11 immigration status, we don't collect numbers on  
12 specific people who may not be seeking services or--

13 CHAIRPERSON LEVINE: [interposing] Right,  
14 but we certainly hear anecdotal reports that FQHCs,  
15 for example, are experiencing a reluctance of  
16 immigrant patients to come in for care.

17 DEPUTY COMMISSIONER ANGELL: No, fully  
18 appreciate that. Just reaffirming too that we are  
19 trying to make sure very clearly that the messaging  
20 that we have across all of our agencies is consistent  
21 and does not confuse the individuals that are seeking  
22 care. I don't have numbers for you now, specifically  
23 about whether there are vast increases or decreases.  
24 We do have this anecdotal understanding of people  
25 responding and saying yes, expressing some fear and

2 then us providing information back. We are looking  
3 at those numbers, though, and we can get back to you  
4 as they--

5 CHAIRPERSON LEVINE: [interposing] I keep  
6 mentioning TB because--

7 DEPUTY COMMISSIONER ANGELL: [interposing]  
8 Yeah.

9 CHAIRPERSON LEVINE: it's a disease that  
10 almost exclusively affects immigrants and one which  
11 if not treated or diagnosed and treated is highly  
12 contagious. We know that in the last year in which  
13 we had data there was a reversal in the long-term  
14 decline in TB, and I think there was a 10 percent  
15 increase.

16 DEPUTY COMMISSIONER ANGELL: That's  
17 correct.

18 CHAIRPERSON LEVINE: DO you have more  
19 recent data? Have we continued to see an increase in  
20 TB cases in the City?

21 DEPUTY COMMISSIONER ANGELL: So, the  
22 numbers that you're referring to is comparing 2016 to  
23 2017, and you're absolutely correct, we had about a  
24 10 percent increase. The proportion of people with  
25 TB are about 86 percent of the total who are

2 immigrants. So, indeed, you're correct that the  
3 burden of TB in our population is carried by  
4 immigrants, and that makes seeking and making those  
5 services available to that population absolutely  
6 critical. And so we continue to provide those  
7 services. I don't have specific numbers in immediate  
8 change in the number of people seeking care for those  
9 services at this time or spikes or numbers related to  
10 this immediate time at this moment. We continue and  
11 we can return to you with numbers, but the most  
12 important message that we continue to get out to, not  
13 only the community but to physicians and other front  
14 line individuals, is that those services are  
15 available regardless of immigration status.

16 CHAIRPERSON LEVINE: Right.

17 DEPUTY COMMISSIONER ANGELL: That should  
18 never stop somebody from seeking care for this.

19 CHAIRPERSON LEVINE: And I want to  
20 emphasize what I said in my opening statement, that  
21 public health is everybody's problem, and nobody is  
22 immune from deadly microbes, and people who are  
23 callous and say that because they're-- they have  
24 citizenship or they have no concerns for Public  
25 Charge are not just amoral, they're also potentially

2 putting themselves and their own families in danger.  
3 So, public health requires collective action for that  
4 reason. I know that-- I don't think a Health +  
5 Hospitals representative is here, and I don't know to  
6 the extent you're able to speak on behalf of what  
7 could be called a sister agency, but if New Yorkers  
8 in the thousands lose health coverage and case going  
9 to their neighborhood clinic for their annual check-  
10 ups and their vaccinations, they're going to start  
11 showing up at H+H emergency rooms when they're in  
12 medical crisis. Do you know the extent to which H+H  
13 has begun to prepare for this potential crisis to  
14 help mitigate the damage and to have adequate  
15 resources ready to deal with it?

16 DEPUTY COMMISSIONER ANGELL: I can't speak  
17 on behalf of what H+H's specific actions are.  
18 Similar to all of us throughout this messaging,  
19 though, the care, the service that we're providing  
20 are there regardless of immigration status or ability  
21 to pay.

22 CHAIRPERSON LEVINE: Okay, so my fellow  
23 Chairs, I think we should try and follow up with H+H,  
24 because they're going to be on the front lines.  
25

2 COMMISSIONER MOSTOFI: Can I-- may I add  
3 to that?

4 CHAIRPERSON LEVINE: Yes.

5 COMMISSIONER MOSTOFI: I'll add on two  
6 notes. One, the funding cycle last year, many of us,  
7 the Department of Health and others collectively,  
8 were advocated to ensure that there wasn't a cut in  
9 funding towards TB outreach and services, and were  
10 successful at doing that. I think that's something  
11 that continues to be on our radar and to look out for  
12 to ensure that we are continuing to seek commitments  
13 towards ensuring that the communities that need that  
14 information and service are receiving it. So, look  
15 forward to working with you on that. And I think in  
16 terms of H+H, H+H has been readily engaged at every  
17 step of this with all of us. They are also-- as I  
18 said, have given directive to their staff. they are  
19 looking at this closely, running their own sort of  
20 monitoring and evaluation and impact, and have been  
21 deeply committed at the highest level with Doctor  
22 Katz at emphasizing repeatedly that nothing about the  
23 way that H+H delivers services changes, and that  
24 people, both emergency and regular healthcare, should  
25 freely come and receive those services at H+H

2 locations. We're continuing to look at ways that we  
3 can ensure that communities have access and know  
4 that, and that's something that we, as a part of the  
5 work that we are readily doing, but that commitment  
6 is there and ongoing work.

7 CHAIRPERSON LEVINE: No, well, Doctor  
8 Katz has been a very strong commitment for the system  
9 in its commitment is second to none. It's just a  
10 question of resources. We want to make sure he has  
11 the resources. I also want to mention that city-  
12 subsidized benefits are not-- you've made this clear--  
13 - are not part of the calculus, and that does open an  
14 opportunity for us. Yes, there's a cost, but one  
15 that I would argue is a good investment. We had a  
16 wonderful pilot about two years ago through the  
17 Health Department's leadership, and MOIA was very  
18 involved, Action Health NYC-- that using no federal  
19 money, it just happened to be philanthropically  
20 supported-- gave undocumented immigrants a primary  
21 care home to get their annual visits, to get their  
22 check-ups and preventative care. In a world in which  
23 even fewer immigrants in New York City can access  
24 Medicaid and Medicare, etcetera, then the need for  
25 some form of city-subsidized back-stop that at least

2 gives people a primary care home is greater than  
3 ever. I know that that Chair Menchaca cares a lot  
4 about this as well. Have we thought about revisiting  
5 bringing back Action Health as a permanent program in  
6 light of what could be a more desperate need than  
7 ever?

8 DEPUTY COMMISSIONER ANGELL: Yeah, you're  
9 speaking to the very important-- the relevance of  
10 primary care and access to primary care services as a  
11 conduit than to get specialty care and all of the  
12 benefits that come from being able to take care of  
13 your own health, the impact on yourself, on your  
14 family, and your communities at large, and we share  
15 absolutely with you the sense that this is a right,  
16 and that it's very important that we make those  
17 services readily available. Action Health NYC was a  
18 one-year demonstration project, and from it we did  
19 learn a lot about the impact that can have, including  
20 that it increases, for example, the likelihood that  
21 an individual will have a primary care home and be  
22 able to get those important services. From that, we--  
23 - those lessons learned are things that H+H has also  
24 as a partner in Action Health NYC may also just note  
25 that including MOIA and DOHMH and our community

2 credibly qualifies the health centers as well as H+H  
3 were all a part of this demonstration project, and  
4 that information is information that H+H has and is  
5 using as they think forward with their services. And  
6 so as we move forward, we really did need to make  
7 sure that this population does have great access to  
8 care.

9 CHAIRPERSON LEVINE: Okay, well, we're  
10 going to continue to push to bring that program back  
11 on a permanent basis. Thank you, and thank you, Mr.  
12 Chair.

13 CHAIRPERSON MENCHACA: Thank you, Chair  
14 Levine. Chair Levin?

15 CHAIRPERSON LEVIN: Thank you, Chair  
16 Menchaca. I want to thank you all for your  
17 testimony. I'll try to keep this as brief as I can,  
18 because I know that you've been testifying for a  
19 couple of hours here, so I appreciate your time.  
20 You're not quite the [inaudible]. Following up on  
21 Council Member Levine's last couple questions, when  
22 we refer to Public Charge, then that specifically  
23 refers to federal benefits, or benefits paid with  
24 federal dollars. So, a purely CTL, City Tax Levy, or  
25 state funded tax funded program would not be

2 prohibited, or is that-- or am I wrong on that? I  
3 mean, does-- is that the definition of public, or  
4 does public include all public dollars?

5 COMMISSIONER MOSTOFI: So, the definition  
6 is just what's delineated in currently as the cash  
7 assistance and long-term institutional care, and in a  
8 proposal as the ones that are articulated. So, SNAP,  
9 non-emergency Medicaid, Section 8, and subsidized  
10 housing, and Medicare Part D.

11 CHAIRPERSON LEVIN: So, then it wouldn't  
12 be interpreted then, or it couldn't be interpreted by  
13 a case officer to include any other benefit if we  
14 were to figure out some way in a long term to  
15 circumvent that?

16 COMMISSIONER MOSTOFI: As the proposal  
17 has stated, that's correct. The benefits that  
18 they're going to look at are the ones that are  
19 specifically delineated.

20 CHAIRPERSON LEVIN: Let's see. I might  
21 skip around a little bit, and I apologize for that in  
22 advance. Has our data analytics team been able to  
23 look at identifying where there are drop-offs, in  
24 particular benefits, for example, WIC or SNAP  
25 benefits, and whether we can do proactive outreach to

2 those households, a letter, a phone call, an email to  
3 say we understand and we see that you have, you know,  
4 for inexplicable reasons, dis-enrolled or unenrolled  
5 from your benefits-- here's what you need to know  
6 about, you know, whether-- if this was due to, you  
7 know, a concern around Public Charge and immigration  
8 status; here's what you need to know. Is there any  
9 way to do that type of analytics and do that kind of  
10 proactive outreach instead of-- I mean, I know it's  
11 obviously incredibly important to be able to receive  
12 calls, but to do proactive outreach as well.

13 COMMISSIONER MOSTOFI: So, thanks for the  
14 question. So, a couple of things. The way that  
15 we've sort of looked at understanding the impact, we  
16 have-- I think, bear in mind that it's just been one  
17 month since the proposed rule has been published in  
18 the Federal Register. So, it's slightly premature  
19 for us to have a much grander sort of understanding  
20 of disenrollment or that we would see dramatic  
21 numbers or changes. We haven't. I'll allow  
22 Administer Bonilla to speak more to that. What we  
23 have been doing and are doing even further is using  
24 the data that we do have available, our own  
25 methodology and kind of going deeper in understanding

2 what real impact would look like. That doesn't give  
3 you the particular household, because again, slightly  
4 premature for that. We're add up-- we're just a  
5 month shy into the proposal even being published.  
6 So, I think the Administrator can speak to what  
7 they're seeing in terms of kind of enrollment on SNAP  
8 broadly.

9 ADMINISTRATOR BONILLA: Sure. On SNAP  
10 it's important to note that we are constantly  
11 reaching out to cohorts of communities that we think  
12 are eligible regardless of other immigration status,  
13 right? And I believe this council has also funded  
14 programs to reach out to the elderly or reach out to  
15 underserved communities. So that work continues  
16 regardless of whether there's a Public Charge rule or  
17 not. What I can say is the trends that we've seen,  
18 and we monitor our data pretty closely, do not show  
19 an impact because of the Public Charge Rule on our  
20 staff enrollment. Again, I agree with the  
21 Commissioner. It's really too early to tell, but so  
22 far we have not seen an impact.

23 CHAIRPERSON LEVIN: Is there a potential  
24 that if you were to see something that, you know, you  
25 see as a correlation that you could do proactive

2 outreach, particularly on people that are dis-  
3 enrolling, not just people that are eligible that  
4 haven't enrolled before--

5 ADMINISTRATOR BONILLA: [interposing]

6 Sure.

7 CHAIRPERSON LEVIN: but people that are  
8 dropping off.

9 ADMINISTRATOR BONILLA: So, the reality  
10 is we don't know why people may dis-enroll, right?  
11 Our caseloads are complicated.

12 CHAIRPERSON LEVIN: Right, they go--

13 ADMINISTRATOR BONILLA: [interposing] What  
14 we do know is-- yep. We do know is that the economy  
15 definitely has an impact. Do we have the capacity to  
16 outreach? We definitely have the infrastructure to  
17 outreach. We would need further analysis to do  
18 outreach on this particular issue.

19 CHAIRPERSON LEVIN: Jumping back here,  
20 just to the big picture. Can you provide a-- kind of  
21 a big picture context to how this proposed rule fits  
22 into the long-term narrative of Public Charge as it  
23 relates to immigration law? So, you said in your  
24 testimony the Speaker mentioned that Public Charge  
25 has been an element of immigration law for a hundred

2 years. However, I think we all agree that this is a  
3 major departure. This is a radical-- this is a  
4 radical shift in policy from any Administration,  
5 Democrat, Republican, Progressive, Conservative, you  
6 know, Reagan Administration, Obama Administration.  
7 We haven't seen this type of action be forced. Could  
8 you maybe put that into some kind of context? What  
9 is this-- like, how far outside of the kind of  
10 societal norms that we-- and governmental norms that  
11 we've been working under for a century, how far  
12 outside of that framework or paradigm are we with  
13 this proposed law?

14 COMMISSIONER MOSTOFI: Sure. I maybe  
15 won't go back a century. I mean, we can talk about  
16 sort of the history of immigration more broadly and  
17 how at different junctures it has been focused on  
18 exclusion and Public Charge has been a part of that  
19 narrative. So, that's true. I think what you're  
20 referring to really is the more recent history, and  
21 regardless of kind of party in terms of what we've  
22 looked at on Public Charge. As I noted in my  
23 testimony, the most recent shift we saw was in the  
24 90s, and in the 90s in response to massive  
25 immigration reform that was in many ways more

2 limiting in terms of immigration as well as welfare  
3 reform, there was a concern, rampant confusion  
4 amongst immigrant communities and families that the  
5 Public Charge analysis would be negative towards  
6 that, and that there is some public record and  
7 analysis of help impact at that time, and people  
8 choosing to even dis-enroll their U.S. citizen  
9 children from receipt of Medicaid and other health  
10 services because of the fear that was generated by  
11 those reforms and by the Administration's application  
12 of the rule. As a direct response to that, the  
13 Attorney General at the time issued guidance that  
14 narrowed and limited the application of Public Charge  
15 to what is current date application, which is that  
16 simply the cash assistance and long-term  
17 institutional care with the ability to bring in an  
18 affidavit of support to overcome some of your-- some  
19 of the potential future challenges.

20 CHAIRPERSON LEVIN: During the Clinton  
21 Administration?

22 COMMISSIONER MOSTOFI: Correct. So,  
23 since then, that has been the standard application  
24 with no shift regardless of Republican or Democratic  
25 Administration.

2 CHAIRPERSON LEVIN: There has been no  
3 attempt to shift. So the George W. Bush  
4 Administration didn't attempt to shift Public Charge  
5 or there was no rumblings of that during that  
6 Administration.

7 COMMISSIONER MOSTOFI: I think that's  
8 right, and I think what's notable here is, you know,  
9 this federal administration, as everybody has rightly  
10 noted, has taken a largely xenophobic approach  
11 towards immigration more broadly. We're moving from  
12 the mission statement of the U.S. Citizenship and  
13 Immigration Services, the words "nation of all  
14 immigrants," and that is, you know, a direct  
15 historical erasure of the reality of what plays out  
16 in our country. And while, you know, one can debate  
17 the application of Public Charge period in  
18 Immigration Law, I think the reality is that the  
19 reason you haven't gone more stringent, the reason  
20 you haven't seen a more draconian application like we  
21 are today is myriad. One, it's because there was a  
22 recognition in the late 90s that doing that can lead  
23 to a public health crisis, can lead to people who  
24 should not and would not be impacted choosing to dis-  
25 enroll from programs that we want them to be enrolled

2 in for the public health and safety of not just those  
3 individuals and their families, though that's the  
4 right thing to do, but of us as a society as a whole,  
5 and on top of that, you know, we know that, you know,  
6 we should take pride in the fact that we do work to  
7 engage residents that are eligible for benefits to  
8 enroll in those benefits. That is something that we  
9 believe we ought to be doing, and we know that  
10 immigrants are not readily accessing benefits at  
11 greater rates than native-born Americans. We know  
12 that, in fact, newer immigrants to our country might  
13 access benefits to get on their feet, but that second  
14 generation immigrants actually contribute more  
15 economically in return to our country than native-  
16 born children. So, you know, the sort of history and  
17 understanding of why you wouldn't choose to do such a  
18 draconian application of Public Charge in the  
19 immigration context really speaks to why you haven't  
20 seen a shift across Administration and that this is a  
21 significant departure from common sense and rationale  
22 around what you would do here.

23 CHAIRPERSON LEVIN: And bipartisan policy  
24 for at least the last 20 years.

25 COMMISSIONER MOSTOFI: Yep.

2 CHAIRPERSON LEVIN: Do we-- are we-- have  
3 we reached out to the Department of Veterans Affairs  
4 to see if this would also be impacting veterans?

5 COMMISSIONER MOSTOFI: The Department of  
6 Veterans Affairs has been engaged in our  
7 conversations, and obviously what's noteworthy, of  
8 course again here, this does not impact legal  
9 permanent residents. It does not impact individuals  
10 that are seeking to renew that residence or apply for  
11 citizenship. So, you know, we just wanted to ensure  
12 that people know that it doesn't impact them, that  
13 the department itself is able to share out that  
14 information with folks that they work for and with,  
15 but we have engaged them in this conversation.

16 CHAIRPERSON LEVIN: it was asked by the  
17 Speaker, but do we have a sense of how many current  
18 public housing New York City NYCHA residents might be  
19 affected by this?

20 COMMISSIONER MOSTOFI: It's again worth  
21 noting here that if you are not, you know, already  
22 having stabilized immigration status, you're not  
23 eligible largely for Section 8 and other housing.  
24 So, what we're mostly concerned in those context with  
25 is that broader chilling effect and ensuring that

2 people have good information in knowing that they're  
3 not going to be impacted by this rule.

4 CHAIRPERSON LEVIN: So, we don't have a  
5 sense, though, of current-- those currently living in  
6 public housing, how many would be affected if the  
7 rule were to go into effect.

8 COMMISSIONER MOSTOFI: So, what I'm  
9 noting is that, in fact, those who are eligible for  
10 those benefits are not the ones that would be readily  
11 impacted by this rule.

12 CHAIRPERSON LEVIN: Oh, I see.

13 COMMISSIONER MOSTOFI: Yeah.

14 CHAIRPERSON LEVIN: Have we reached out  
15 to our Congress-- New York City Congressional  
16 Delegation to see what the incoming Democratic House,  
17 what measures they can take, or are there-- I mean,  
18 just on the mechanics of this, this is a proposed  
19 rule. What role does Congress have in this process  
20 or does it have any role whatsoever?

21 COMMISSIONER MOSTOFI: So, notably one of  
22 the reasons, probably the primary reason that even  
23 the proposed rule lays out a series of individuals  
24 who are exempted from a rule should it go into effect  
25 like asslyees [sic] and refugees and BOWA [sic]

2 recipients and so forth is because that the Executive  
3 cannot change that. That's by statute, and so I  
4 think that speaks to the ability for Congress to be  
5 able to take a different point of view here and to  
6 regulate beyond what they already have in this area  
7 to prevent something like this from going into  
8 effect. We've been committed in ensuring that not  
9 just us as a city but cities across the country are  
10 able to advocate effectively on this. In doing  
11 regular kind of conversations in a training that we  
12 did last May with our cities across the country,  
13 we've engaged on many issues that have impacted our  
14 communities with our Congressional delegation,  
15 including a briefing on Public Charge that we did.  
16 So, we will remain in conversation and committed to  
17 raising this, and certainly there is a role for  
18 Congress to play here.

19 CHAIRPERSON LEVIN: Have you got any  
20 feedback from members of the Congressional delegation  
21 of action that they are contemplating taking?

22 COMMISSIONER MOSTOFI: Not at this time.

23 CHAIRPERSON LEVIN: That's something that  
24 we can follow up with, particularly after January.  
25 Okay, please keep us informed of anything that we can

2 do to continue that advocacy with our Congressional  
3 delegations. And then, if-- sorry. Question about  
4 family members. One of the prior panelists mentioned  
5 that people are concerned that if they are receiving  
6 benefits they won't be able to help additional family  
7 members. They might be prevented from helping  
8 additional family members come to the United States.  
9 Is that something that you're seeing? Is that a  
10 concern? Is that something that-- how would we, you  
11 know, appropriately deal with that?

12 COMMISSIONER MOSTOFI: I just want to  
13 make sure I understood the question correctly, that  
14 they would be concerned that they couldn't bring  
15 additional families?

16 CHAIRPERSON LEVIN: I think that's what  
17 we heard from the prior panel.

18 COMMISSIONER MOSTOFI: Yeah. So, it's  
19 important to note that the Public Charge Rule  
20 application applies differently for those who are  
21 currently in the United States and those who are  
22 entering the United States from abroad. The actual  
23 application through the consulate offices has already  
24 changed under this Administration. They already have  
25 broader guidance on looking at the totality, if you

2 will, of circumstances and looking at those  
3 individualized factors. It is not written nor as  
4 draconian as what was proposed here for application  
5 administration from inside the United States, but if  
6 anybody is looking to apply for a family member  
7 abroad, we recommend that they immediately speak to a  
8 trusted immigration legal service provider and ensure  
9 that they have good information and are able to make  
10 the right decisions for themselves and their  
11 families.

12 CHAIRPERSON LEVIN: This question is for  
13 Administrator Bonilla. Are we examining whether this  
14 would impact people that are currently homeless  
15 residing in the New York City shelter system in terms  
16 of whether they may be eligible then to receive  
17 housing assistance that has-- you know, that we've  
18 been relying on to help people move out of the  
19 shelter system. So, vouchers that draw down on  
20 federal ballots.

21 ADMINISTRATOR BONILLA: So, to emphasize  
22 what the Commissioner has said, we are really looking  
23 at the plain language of the rule, and nothing in the  
24 rule points to that being an issue. We-- the last we  
25 want to do is give any further ideas to the Federal

2 Government. So we are responding to what is in the  
3 proposed rule.

4 CHAIRPERSON LEVIN: The rule does not--  
5 the rule makes reference to housing.

6 ADMINISTRATOR BONILLA: It makes a  
7 specific reference, I believe, to Section 8. It does  
8 not make a reference to a larger housing to my  
9 knowledge.

10 CHAIRPERSON LEVIN: It says Section 8 and  
11 rental assistance, but is that--

12 ADMINISTRATOR BONILLA: So, we are  
13 interpreting that as federal rental assistance.

14 CHAIRPERSON LEVIN: Okay. And then I  
15 guess my last question, and then I'll turn it back to  
16 Chair Menchaca. Is it possible that if this were to  
17 come to pass-- I mean, trying to examine different  
18 creative ways that the City could ensure that people  
19 are maintaining, that people aren't dis-enrolling  
20 from benefits. Is it a possibility that the City  
21 could assume financial sponsor of people in order to--  
22 - when they're applying or re-applying for permanent  
23 resident status? Is that something that is-- been  
24 examined, or is that an option in the future?

2 COMMISSIONER MOSTOFI: So, the current  
3 process as it stands provides for an individual  
4 applicant to be able to submit what's called an  
5 Affidavit of Support from a family member, a friend,  
6 or somebody who's willing to support them in that  
7 process. So that exists and that's largely what  
8 individuals can use to overcome a negative  
9 consideration on public charge. What the plain  
10 language, though, of this proposal seems to  
11 articulate is that that Affidavit of Support in and  
12 of itself would not be enough to overcome the receipt  
13 of one of those benefits. That was outlined. So, I  
14 think that answers your question.

15 CHAIRPERSON LEVIN: That isn't-- that's  
16 in also a radical departure from status quo, right?

17 COMMISSIONER MOSTOFI: That's correct.

18 CHAIRPERSON LEVIN: Now, has there ever--  
19 I'm just curious, has there ever been-- has it ever  
20 been examined whether institutions can play that role  
21 and not individuals' family members and so on?

22 COMMISSIONER MOSTOFI: I don't--

23 CHAIRPERSON LEVIN: [interposing] IN other  
24 words, has a foundation ever submitted an Affidavit  
25 of Support?

2 COMMISSIONER MOSTOFI: I don't readily  
3 have the answer to that. I know by way of practice  
4 that the individual that's providing the Affidavit of  
5 Support process is essentially entering into a  
6 contract with the individual applicant, right, saying  
7 that I will be responsible for this individual, and  
8 they're required to provide their own income taxes  
9 and so forth and income and assets in that process.  
10 I've never utilized a non-individual actor. I don't  
11 know if the regulation or statute imagines that. I'm  
12 sure some of the legal service providers in the room  
13 might know, but we're happy to get back to you.

14 CHAIRPERSON LEVIN: Okay, because the  
15 City could-- I mean, it's-- obviously the benefit  
16 that we receive in, you know, economic activity for  
17 the overall economy it's, I think, worth-- we should  
18 examine what that impact would be putting up there  
19 for City Tax Levy dollars in order to supplant those  
20 federal dollars. And then just-- I'm sorry, one last  
21 question. Just, you made reference in your  
22 testimony, but just to speak a little bit more about  
23 the change in the overall determination of people's--  
24 whether somebody would be seen as self-sufficient.  
25 So, there's-- the part of this action is of this

2 proposed rule significantly alters the people's-- how  
3 it's determined whether the likelihood of somebody  
4 potentially becoming a Public Charge, and so that is--  
5 - that's proposed to be shifted significantly. Can  
6 you speak a little bit more about what that would  
7 mean? Who might get drawn into now being seen as  
8 disqualified just based on things like education,  
9 status, or age, or health status, things that we as a  
10 society, I think, you would find a very large  
11 majority of Americans would, I think, abhor, you  
12 know, factoring in somebody's pre-existing condition,  
13 if you will, on a health status on whether or not  
14 they could be a permanent resident here?

15 COMMISSIONER MOSTOFI: Sure. So, to  
16 reiterate the-- one aspect of the proposed rule  
17 builds on the determination around the totality of an  
18 individuals' circumstances. It takes into  
19 consideration individual factors like health, age,  
20 income, education and so forth, and employment  
21 history and so forth. The radical departure here is  
22 that it is not this totality of the circumstances to  
23 us. These individual factors are looked at  
24 separately. Some are weighted more heavily than  
25 others, including that you're under the age of 16 or

2 over the age of 60 could readily be used against you.  
3 Your income level might be a determinant to--  
4 determinative factor in and of itself of pre-existing  
5 condition and so forth. So, that is very different  
6 than what currently happens, and it is one of the  
7 areas where the letter of the proposed rule is  
8 unclear in terms of what actually will happen once  
9 something gets-- if something ever gets finalized,  
10 and what the instruction will be to individual  
11 immigration officers and how they are to proceed in  
12 the application of that part of this proposal. And I  
13 think as we, in the back and forth with Council  
14 Member Levine that we had, one thing that I didn't  
15 note that is notable is that USCIS has an  
16 investigative arm. So, you know, if they think that  
17 maybe you're not disclosing something accurately,  
18 could they use investigators is something we don't  
19 know in terms of what they'll do here.

20 CHAIRPERSON LEVIN: I mean, I think, just  
21 I think this hearing is important because I think  
22 that-- I'm not sure if this is the first public  
23 hearing on this issue in any municipality in the  
24 country, but I think that it is vitally important  
25 that Americans across this country understand how

2 radical this is and how truly disturbing this is, and  
3 that it's seemingly small things like this that are  
4 frankly the departure points towards fascistic  
5 governmental actions in governmental frameworks, and  
6 so this is-- it hasn't gotten a tremendous amount of  
7 attention, but just so everybody understands, what  
8 we're saying here is that if-- this potentially could  
9 mean that just by the virtue of you being under the  
10 age of 16 or over the age of 60 or having a certain  
11 education level, or a certain employment history, or  
12 a pre-existing condition health-wise could mean that  
13 you-- based on those measures individually, it could  
14 be determinative in rejecting an application for  
15 permanent immigration status in this country. I  
16 think that that is amazingly disturbing, and I want  
17 to make sure that we all understand, public  
18 understands, this is what's at stake here. So, I  
19 want to thank you so much for all the work you  
20 continue to do. You have a partner here in this  
21 Council and we look forward to working with you to  
22 make sure that this rule never gets implemented.  
23 Thank you.

24 CHAIRPERSON MENCHACA: Thank you, Chair  
25 Levin, and I want to continue that thought, make a

2 quick remark and then hand it over to Council Member  
3 Miller for some questions, and then I'm going to end  
4 with some questions as well. But that, the nature of  
5 this is not only real, but it points to the  
6 deportation machine that is already in full effect  
7 and has been impacting our needs on the legal side,  
8 and so this is not just about an application getting  
9 rejected, this is also about an application getting  
10 rejected, someone falling out of status and then  
11 being ready for deportation. And so I have no-- I  
12 truly believe this is-- we are David and Goliath in  
13 so many ways. We're going to do everything we can,  
14 which is why I'm going to remind everyone, before you  
15 leave, if you were planning to testify-- and it's  
16 already late, I know-- and are leaving, please do not  
17 hesitate to stop and fill out your testimony,  
18 especially if there's a story here that you want to  
19 emphasize. And so those-- the team is back there to  
20 the-- to my right. Council Member Miller?

21 COUNCIL MEMBER MILLER: Thank you, Chair  
22 Menchaca, and let me say to your co-Chairs, thank you  
23 for collaborating on such an important and thoughtful  
24 concern of all of ours, and to the Administration,  
25 thanks for the work that you're in advance. So, in

2 completion of your data reports, and I know it's  
3 still under review. Have we identified certain  
4 target of communities, and if so-- or an uptick in  
5 certain communities-- and if so, how have we  
6 addressed that, and what agencies have been charged,  
7 and/or CBOs that are doing the work, and how can  
8 members in communities support that effort?

9 COMMISSIONER MOSTOFI: SO, I wouldn't say  
10 that we have identified anything, any community in  
11 particular on Public Charge specifically, but as a  
12 part of what we do generally is looking at  
13 understanding what communities are accessing services  
14 who aren't where we have providers that are able to--  
15 in communities-- provide services, and where we don't  
16 that's a part of what we generally do. much of the  
17 outreach work that we focus on is engaging  
18 communities that have had less access to services,  
19 and so that's something that we're continuing to do  
20 in particular around where we will be focusing on  
21 making sure we can provide Know Your Rights workshops  
22 where we'll be in schools in terms of larger student  
23 body populations that-- and their parents who might  
24 not readily have access to things.

2 COUNCIL MEMBER MILLER: I think that's a  
3 great idea. In fact, it's-- you know, just in  
4 general, Know Your Rights and immigration services,  
5 that's a great starting point in what we do on a  
6 pretty regular, and I think it should be expanded in  
7 this point. I know we talked about-- it was also  
8 discussed whether the sharing of benefit information  
9 and applications, the city, state, and Federal  
10 Government, if that happens, and if so, what is the  
11 impact that-- what are the unintended consequences of  
12 that?

13 COMMISSIONER MOSTOFI: Sure, I'll start  
14 top lines and then ask my colleagues to jump in.  
15 but top line, the City has very strong and broad  
16 confidentiality policies in partnership with the  
17 Council expanded upon last year, and legislated, and  
18 so we-- my office works very closely with the City  
19 Chief Privacy Officer who works with General Counsels  
20 across all agencies to ensure that they have robust  
21 privacy and confidentiality policies, and not just  
22 somebody's immigration status, but more broadly  
23 information on all New Yorkers is protected to the  
24 maximum extent possible under the law, but in terms

2 of specific benefits Administration, I'm going to  
3 turn it over to my colleague.

4 ADMINISTRATOR BONILLA: Generally, on the  
5 public benefits front, we have very, very tight  
6 confidentiality laws mainly administered by the  
7 state, but also locally. So, it would be very  
8 difficult to get to some of our information.

9 COUNCIL MEMBER MILLER: Okay, great. And  
10 then finally, I know it was-- the question was asked  
11 a few times about NYCHA and how those who were-- who  
12 would qualify for housing benefits that generally  
13 would not be at risk here, but have we identified  
14 extend family in those housing situations. We all  
15 have those relatives that we take in, and certainly,  
16 you know, and they're attempting to access benefits  
17 as well. Have we looked at that, and you know, how  
18 do we reach that audience?

19 COMMISSIONER MOSTOFI: I would reiterate  
20 that the proposed rule does not provide that if  
21 somebody in your household, for example, were to  
22 receive that benefit that that would be used against  
23 you. So, for us, the number one thing here is to make  
24 sure that all of the residents know that there  
25 wouldn't be an impact on-- there isn't an impact on

2 them now, and there wasn't likely to be an impact on  
3 them if there were to be a final rule.

4 COUNCIL MEMBER MILLER: Thank you, and  
5 thank you to our Chairs, again. Once again, very  
6 thoughtful and necessary.

7 COMMISSIONER MOSTOFI: Thank you.

8 CHAIRPERSON MENCHACA: Thank you, Council  
9 Member Miller, and we were joined by Council Member  
10 Yeger, Reynoso, Barron, Council Member Miller and  
11 Gjonaj here today. And I'm going to ask some final  
12 questions about the analysis that was presented in  
13 the-- the economic impact analysis that was provided  
14 in the press release and that you re-mentioned in  
15 your testimony. And really just letting the folks  
16 know at home that you are-- well, actually, how are  
17 you arriving to those? And this is a simulation that  
18 you are-- can you just walk through what the  
19 simulation is, how you have arrived at the economic  
20 impact, and thinking about the health cost, homeless  
21 and hunger factors, and how they kind of separate  
22 into individual areas of need?

23 COMMISSIONER MOSTOFI: Sure. So our  
24 preliminary analysis in partnership with the Office  
25 of Economic Opportunities and the Department of

2 Social Services looked at a couple of different  
3 things. One, we modeled using census data. The  
4 number of New Yorkers who could and could  
5 immediately, directly be impacted by the rule, and by  
6 that I don't mean that the rule is in effect, but  
7 that there are individuals who are currently eligible  
8 for a benefit who have not yet become legal permanent  
9 residents. That's about 75,000, and so we overlaid  
10 individuals currently eligible for the benefit that  
11 have not yet become a legal permanent resident and  
12 that had lower income rates and were enrolled in one  
13 of the articulated benefits. So, that's 75,000.  
14 That 400,000 additional number speaks to a number of  
15 New Yorkers who are here who are not eligible for  
16 benefits but who might meet one of those factors that  
17 are articulated in the test, so might have a lower  
18 income, might have a health condition, so forth. We  
19 additionally looked at data from the state that was  
20 provided on current enrollment in some benefits  
21 including SNAP that DSS looked at, and in that data,  
22 what was available was the number of non-citizens  
23 that are currently enrolled in those programs, and  
24 that was about 220,000 or so, I believe, non-  
25 citizens, and so the reason that we did that was,

2 again, not because all of those individuals would be  
3 impacted by the proposed rule if it were to be final,  
4 but because we know based on anecdote historical  
5 record, conversations with providers and communities,  
6 that that chilling effect on individuals who are non-  
7 citizens is something that's of great concern to us.  
8 And so that number speaks to the individuals who  
9 could themselves believe that they would be impacted  
10 and choose to dis-enroll.

11 CHAIRPERSON MENCHACA: Thank you. That's  
12 really important to kind of understand the nuance to  
13 that, and really, we want to just let everyone know,  
14 and this is a question that I think I know the answer  
15 to but I want to ask it because I want everyone to  
16 know that we're going to be working in partnership,  
17 but that you will continue to provide information and  
18 conversation, connection, to strategy as we work  
19 together to figure out what the Speaker was pointing  
20 to which is funding, funding for the Administration  
21 to do education, to do outreach, to think about ways  
22 of creating universal access just like our IDNYC  
23 program, and that's all going to have a budget  
24 impact, and we want to be able to be ready for that.  
25 Some of us are members of the BNT. We're ready to

2 start thinking about this today as well, which is why  
3 I asked whether or not the Mayor has called directly  
4 to, and in fact, the question has been answered, we  
5 like to hear that, whether he's called the Governor  
6 himself, and that will tell us if this is a priority.  
7 And so, again, if that could come back to us right  
8 now, that would be great. But this is why we're  
9 trying to understand the fuller need about what the  
10 possibilities are. I will say that only four  
11 comments have been filled out in the back. So, and I  
12 know there are many more of you that have not yet  
13 filled it out. So, please, while we're in  
14 conversation, I implore you. I will give you the  
15 final tally of the folks that have sent their  
16 comments. It's really, really important that that  
17 happens. And then finally, we're going to be in a  
18 very-- in some ways I think we're there now, making a  
19 decision about how we communicate when the rule,  
20 whatever version of it, be it slimmed down even  
21 further or at its current draft, you will have to be  
22 making a choice as a city agency about how you  
23 communicate to people, and this is a choice between  
24 dis-enrolling, or staying connected to services ,  
25 which is why we're putting so much emphasis on trying

2 to figure out how we create programs that are okay,  
3 that are funded by the City, that are funded by the  
4 State. And so are you preparing that moment? And  
5 I'm not asking you to make a decision now, but that  
6 comes later after we figure out the proposal, but  
7 what's the strategy today as you think about that  
8 moment that is going to come within the next six to  
9 seven months? It's coming.

10 COMMISSIONER MOSTOFI: So, I'll say a  
11 couple of things. One, I hope it never comes. I  
12 think that the focus, of course, is on, as we noted,  
13 pushing back, ensuring that we're not just kind of  
14 raising our voices now, but through the comment  
15 process, and thereafter in advocacy and activating  
16 other stakeholders and using all the tools at our  
17 disposal to prevent something like this from ever  
18 going into effect. I think what you articulated in  
19 terms of a timeline is the earliest possible really  
20 imagined timeline. I would note, again, as much as  
21 and as frequently as often, this is not a final rule.  
22 Even if there were to be a final rule there's a 60  
23 day grace period articulated in the proposal that  
24 would have to take place before the rule would become  
25 effective. So, it's still important that we not

2 preempt that process. You know, we have been engaged  
3 for over a year really on what's the right topline  
4 messaging for staff as people are coming in, and I  
5 think feel some level of comfort in the fact that we  
6 didn't arm staff with specificity of what the leaked  
7 draft said, because what we saw in the proposal was  
8 so dramatically different than what the leaked draft  
9 said, and we would have maybe needlessly contributed  
10 to that confusion and fear. Similarly, we don't know  
11 what a final rule might say, and so I think we're  
12 committed to ensuring that as people come through our  
13 agencies and interface with city outreach workers in  
14 our offices, they're getting good information. They  
15 know that nothing has changed this time. They know  
16 that we're committed to fighting against it, and they  
17 know where they can go to get that individualized  
18 consultation from trusted legal service providers.  
19 So that is where we're deeply committed. We're also  
20 committed to engaging in open lines of communication  
21 and conversations as we have with providers, with  
22 counsel, with others to think through what would be  
23 appropriate in looking at how to mitigate that really  
24 impossible choice that somebody might have to make  
25 and what makes sense in terms of ensuring that our

2 staff has messaging-wise if there is a final rule in  
3 effect.

4 CHAIRPERSON MENCHACA: Okay. Again, I  
5 hear your hope, and in so many ways I'm meeting that  
6 hope, and I have hope every day for some things, and  
7 I think so much of that hope comes in ways that are  
8 life changing in our communities when immigrants are  
9 voting in participatory budgeting and they're still  
10 voting right now, and they're applying for IDNYC, and  
11 there's hope in us that I have in this city. what I  
12 don't have hope for at all, and I do not want to bank  
13 this entire conversation around Public Charge, is  
14 that the Federal Government is in any way going to  
15 give us any leniency at all. And so we need to be  
16 prepared for that. The 60-day window of opportunity  
17 that we're going to have when the soonest moment  
18 comes is not a lot of time, and that's going to  
19 require a lot of funding and resources that we need  
20 to be able to anticipate and plan for, and this is  
21 one of those things we cannot be tripping along the  
22 way, and I keep on hearing that this is just about  
23 hope that's not going to happen; we're going to do  
24 everything we can. No doubt, but in a very parallel  
25 kind of way we need to be ready to figure out what

2 we're going to do, what things need to shift, and get  
3 ready to plug in those deep gaps of funding that are  
4 going to be connected to food and housing and  
5 healthcare and the massive education campaign that is  
6 going to require a lot of funding, and rethinking how  
7 we do things. So I'm sounding-- we are sounding an  
8 alarm right now, and so I just hope that very quickly  
9 we can see some focus on that as well. December 10<sup>th</sup>  
10 is coming, and we're going to do all our work to  
11 that, but December 11<sup>th</sup>, we're going to get down and  
12 say here's the plan, this is what it's going to cost,  
13 and we're going to be ready to do that. And it's  
14 going to come from the Governor and from the  
15 legislative body in Albany, and it's going to come  
16 from the City Council and the Mayor, and that we  
17 have-- that we have our immigrant community's back,  
18 not just those technically connected to this, but all  
19 the other people that are going to get swept up in  
20 this confusion and what is the whitening of this  
21 country through this immigration/deportation machine  
22 that is Trump and his people, and that is just the  
23 absolute truth, and I think the advocates are going  
24 to talk to that. So I'm going to stop talking there  
25 and say thank you again for your partnership, for

2 both of you, for all three of you, I should say, and  
3 for all the other agencies that are thinking about  
4 this, but we're not going to let up.

5 COMMISSIONER MOSTOFI: Thank you.

6 CHAIRPERSON MENCHACA: Thank you. With  
7 that, I'm going to bring up the next panel for  
8 discussion, and again, I'm going to ask you to fill  
9 out your comment before you leave, and encourage your  
10 friends and family to submit their comment. Comments  
11 have to be filled out in English as well, which is  
12 incredibly unfortunate, but we will do that, and if  
13 you need support, we have support in the back. The  
14 next panel will be Rose Duhon [sp?], Miguelina Diaz  
15 from Hunger Free America, Hannah Scott, Westside  
16 Campaign Against Hunger, the citywide organization  
17 fighting hunger and poverty and equality, Jerome  
18 Nathaniel from City Harvest, Rachel Sabella, No Kid  
19 Goes Hungry-- or No Kid Hungry NY, Claudia Calhoon  
20 from the New York Immigration Coalition. Okay, and  
21 that's it. I think we're going to have a full panel  
22 here. So, I'm really hoping that we can-- we're  
23 going to hear as many folks as possible, and I'm  
24 really happy that you're all here listening to the  
25 Commissioner and this dialogue, and I'm hoping that

2 we can use your time here and not necessarily read  
3 from the testimony, but really add to the  
4 conversation so that we can get through the panel,  
5 ask questions, and then make sure that we can get as  
6 many people as possible to testify. The clock will  
7 be at three minutes, and so watch the clock, please.  
8 And if you need to leave before you can testify and  
9 you prepared testimony, hand it over to the Sergeant  
10 of Arms. They will stamp it, and we will take it,  
11 and we will read it, and we will analyze it. Your--  
12 the commitment is real. We want to know what the  
13 need is and what it's going to cost us to do the  
14 right thing here for our immigrant communities.  
15 Claudia, can you go first?

16 CLAUDIA CALHOON: Good afternoon. Thank  
17 you so much for convening this panel. Sorry, not  
18 just the panel, the entire hearing. It's been a real  
19 pleasure to work with Committee Chair Menchaca and  
20 Committee Chair Levin and Committee Chair Levine.  
21 So, I really appreciate all of the talk about sort of  
22 the anonymous and malevolence of the Federal  
23 Administration. I really appreciate all of the  
24 technical details that have been shared about what's  
25 in the rule, what's not in the rule, what it means.

2 I really appreciate all of the discussion of the  
3 population, the health impacts. One thing I would  
4 say about infectious disease is I'm-- of course, I'm  
5 concerned about infectious disease and I think that's  
6 really powerful frame, but I also am really concerned  
7 about chronic disease and the long-term, life-term  
8 effects, not of New Yorkers in general, the long-term  
9 life effects on immigrants that suffer through food  
10 insecurity now or suffer through housing and security  
11 now, or delay healthcare because-- and so I think if  
12 we're going to talk about public health impacts of  
13 the rule, we always want to talk about chronic  
14 disease and the public health impacts for the people  
15 that are living through this time and affected by the  
16 policy. I think there's a real consensus in this  
17 room around the value of people being able to go to--  
18 children being able to go to school, you know, with a  
19 full meal, pregnant women being able to seek prenatal  
20 care. The things that the Council can do-- I mean,  
21 that was sort of how I prepared, was what you all as  
22 a group can do. There's obviously a whole set of  
23 things that have been discussed, really interesting  
24 and innovative ways to respond that I'm very excited  
25 about for the whole city to respond. I hope that

2 actually all the Council Members will submit comments  
3 individually in their capacity as private citizens,  
4 and I really appreciate the nudging for people today.  
5 I think it's really, really wonderful. I think the  
6 need for accurate information, who's in, who's out,  
7 who's technically affected, all of that's been said  
8 really, really eloquently. That's going to be really  
9 key. We're very concerned about the ability of-- the  
10 capacity of legal services to meet the needs if the  
11 rule goes into effect. How are-- because I think  
12 everyone in this room gets families are going to have  
13 to make some really wrenching choices, and they're  
14 really going to need a specific sort of-- some very  
15 specific technical guidance from the legal service  
16 provider that understands public benefits. And then  
17 I think the policy solutions are really critical. I  
18 think it's been really exciting to hear the  
19 possibility that have been discussed, and we stand  
20 ready to work with Council and Administration  
21 partners. Thank you.

22 CHAIRPERSON MENCHACA: And Claudia, I  
23 want to say thank you so much. You and your team  
24 along with so many other nonprofits and the town  
25 halls that are happening right now in discussion.

2 The one tonight in Sunset Park will be cancelled  
3 because of weather. I'm watching the snow come down,  
4 so we're going to cancel tonight's Brooklyn town  
5 hall, but we're going to be rescheduling that.

6 MIGUELINA DIAZ: Hi, good afternoon. I'm  
7 Miguelina Diaz. I am the Director of Benefit Access  
8 at Hunger-Free New York City, which is a division of  
9 Hunger-Free America. Our CO, Joe Burg [sp?], who's  
10 passionate about this issue, and he's so sorry he  
11 couldn't make it today. So, just some points I want  
12 to make. Make no mistake about it, if this proposal  
13 is implemented as proposed, it will increase poverty,  
14 and the worst symptom of poverty such as hunger,  
15 homelessness, and early death in New York City and  
16 nationwide. While new immigrants have higher rates  
17 of poverty and lower median incomes than native-born  
18 Americans. Immigrants who have become naturalized  
19 citizens have lower rates of poverty and higher  
20 median incomes than native-born Americans. I'll just  
21 repeat that one more time. While new immigrants have  
22 higher rates of poverty and lower median incomes than  
23 native-born Americans, immigrants who have become  
24 naturalized citizens have lower rates of poverty than  
25 higher median incomes in native-born Americans.

2 Therefore, making it harder for new immigrants to  
3 attain the temporary benefits they need to lift  
4 themselves out of poverty as they work will only  
5 hamper their ability to enter the economic  
6 mainstreams of society. So, President Trump's  
7 Administration has implied that if the rule is  
8 implemented, nonprofit groups such as the one that I  
9 work for, Hunger Free America, and many others that  
10 are sitting here next to me won't be able to pick up  
11 the slack. That's nonsense. Many Americans,  
12 particularly middle and low-income already donate and  
13 that's still not enough. So, this nation is  
14 historically welcoming immigrants. Now it is our job  
15 to ensure that we continue to welcome and seek  
16 safety, health and freedom. Thank you very much.

17 JEROME NATHANIEL: Hello. Hey, so thank  
18 you so much. I just want to thank the Committee on  
19 Health, General Welfare and Immigration in the  
20 Council for having us here to draw attention to a  
21 really vicious and fear-mongering proposal that's  
22 coming from Washington. My name is Jerome Nathaniel.  
23 I'm the Senior Program Manager at City Harvest. City  
24 Harvest is one of the nation's oldest and largest  
25 food rescue operations. So we donate or distribute

2 some 61 million pounds of donated food to emergency  
3 food programs, including pantries, soup kitchens,  
4 shelters, and also NYCHA facilities that directly  
5 service 1.2 million New Yorkers in need who don't  
6 know how or where they're going to get their next  
7 meal. Like it was just mentioned from Hunger Free  
8 America, even with that we cannot pick up the slack  
9 that does. In fact, for every meal that a food bank  
10 will distribute, SNAP can offer 12 meals for the card  
11 holder. So even with those relationships that a lot  
12 of our pantries and soup kitchen directors have with  
13 immigrant communities and really New Yorkers of all  
14 walks of life. Unfortunately, they simply cannot  
15 pick up the slack that SNAP does, and that's why  
16 we're very concerned. And we're voicing our support  
17 and aligning with some 1,100 different organizations  
18 across the nation that signed on with Protecting  
19 Immigrant Families Coalitions, and we're also  
20 activating our network of 500 different pantries,  
21 soup kitchens and shelter directors to participate  
22 this Monday in Fracks [sic] National Comment day.  
23 So, I'm very thankful that you guys have the laptop  
24 here, but as often and as much as the opportunity  
25 presents itself, we're really urging people to

2 comment on this as an individual and from an  
3 institution to really draw light on the individual  
4 stories that are happening and that are scaring away  
5 a lot of pantry clients that go to things like mobile  
6 markets as we speak, even though that's something  
7 that's not included in the Public Charge. So, just  
8 being really mindful that even though it hasn't  
9 passed, the fear has already passed and it's already  
10 bearing the consequences of some of these safe havens  
11 like pantries and soup kitchens beyond and next to  
12 the fear that's happening along with SNAP. I also  
13 just wanted to say as far as data goes, City Harvest,  
14 we recently partnered with the New York Community  
15 Trust, the Women's Center for Education and the  
16 United Way for New York City on a self-sufficiency  
17 standard which really looks into how people are  
18 balancing their food budgets with just the living  
19 expenses of being a New Yorker. So, looking at  
20 outside of SNAP and outside of these benefits how  
21 challenging it is to live in New York, and if you  
22 didn't have those benefits it would take some 76,000  
23 dollars for a family of three to live comfortably in  
24 New York. So, SNAP is lifting them out of poverty.

2 HANNAH SCOTT: Hi, good afternoon. My  
3 name is Hannah Scott. I'm a Social Service Counselor  
4 and SNAP Enroller at the Westside Campaign Against  
5 Hunger. I'm here today to represent our community of  
6 almost 12,000 families. I want to thank the City  
7 Council for this opportunity. The Westside Campaign  
8 Against Hunger was founded in 1979 and we are the  
9 country's first supermarket-style or choice model,  
10 multiservice food pantry and one of the largest  
11 emergency food providers in New York City. In the  
12 last year, we provided 1.5 million pounds of food  
13 which included over 400,000 pounds of fresh fruits  
14 and vegetables to nearly 12,000 households. We offer  
15 our services to all New Yorkers regardless of  
16 immigration status and we continue to strongly stand  
17 with immigration communities throughout these  
18 continued attacks from the Trump Administration.  
19 What I'm really here to say to you all is as a SNAP  
20 enroller, as a social service counselor, one of the  
21 many SNAP enrollers at Westside Campaign Against  
22 Hunger, we have list, a list running of families, the  
23 date they've come to our organization and their  
24 family size, and the benefit that they have either  
25 chose to dis-enroll from or not enroll on because of

2 their fear of this proposed policy. It doesn't  
3 matter what I said, doesn't matter what my colleagues  
4 say, they will not enroll. They will not have the  
5 conversation. These are clients that have come to  
6 our organization for years maybe. These are clients  
7 who have been referred to us from family or friends.  
8 We have trust. We have confianza [Spanish] with  
9 these people and it doesn't matter. So, what I'm  
10 here today is these people are going to continue to  
11 rely on the emergency food system that we are all  
12 here a part of. We need more funds. We need  
13 supplemental funding to EFAP. These people are going  
14 to continue to rely on us more and more, and we need  
15 to be the safety net for them. So, though this has  
16 been very informative and a great, you know,  
17 gathering of everyone here to talk about this, we  
18 need funding and we need support to support these  
19 people, because it-- like I said, it doesn't matter  
20 how many times I explain this to a client, I can't  
21 fully reassure them whether or not this is going to  
22 affect them and their families. So, thank you so  
23 much for this opportunity, and I hope to, you know,  
24 continue to hear more from you and to find out what  
25 we are going to do to further support the immigrants

2 of this country and specifically of New York City.  
3 SO, thank you.

4 CHAIRPERSON MENCHACA: Thank you for your  
5 service on not just the work that you're doing at  
6 Westside, but in general for being here today. And a  
7 general question for the panel-- we're going to keep  
8 going-- not necessarily for now, but understanding  
9 that data and aggregate, not identifiable data, is it  
10 going to be important for us. And really kind of  
11 building a larger budget request from all of you as  
12 you start anticipating and extrapolating from that  
13 need that you're seeing now. So, that, as soon as we  
14 can get that, that'd be great. Again, we're on the  
15 budget negotiating team. We can start developing some  
16 of these needs. Okay, that's a general-- those are  
17 two general items. Thank you. Next?

18 ROSE DUHAN: Good afternoon. My name is  
19 Rose Duhan. I'm-- thank you for the opportunity to  
20 testify on behalf of the Community Health Care  
21 Association of New York State. The Community Health  
22 care Association of New York State represents  
23 community health centers or FQHCs as they're often  
24 known. Here in New York City we have 39 community  
25 health centers that operate 430-- over 430 sites. We

2 serve 1.2 million patients a year. As other panel  
3 members have indicated, we are very concerned about  
4 the impact on the population that we serve of the  
5 proposed rule. We have been collecting data. We've  
6 been serving our health centers to get really  
7 specific information. Anecdotally, we have seen that  
8 a decrease in early prenatal care. One of our health  
9 centers has documented that there's been a decrease  
10 in women coming in for early prenatal care and  
11 concern about individuals with HIV, not getting their  
12 medications. So we're already beginning to see that  
13 impact. Again, we do think that funding is really  
14 important. Estimates that we've seen say that up to  
15 20 percent of Medicaid recipients may dis-enroll.  
16 So, in New York City that could be up to 50,000  
17 patients that we see at our health centers that we  
18 anticipate could be without health insurance, and  
19 then there will be a, you know, certainly a financial  
20 impact. We would be concerned about health. I  
21 think, we're-- because of that we are concerned that  
22 individuals being afraid to sign up individually, and  
23 so that being able to provide support directly to  
24 providers such as some of the panel members, where  
25 individuals don't have to identify themselves. We

2 think that that's very important. So we would ask  
3 for that kind of consideration. And we also ask that  
4 the panel consider CHCANYS as a resource and to  
5 promote community health centers as a source where  
6 patients can continue to get primary care, behavioral  
7 healthcare services, dental services regardless of  
8 their income or their insurance status, and that we  
9 are available and a trusted resource in the  
10 community. Thank you.

11 RACHEL SABELLA: Sorry. My name is  
12 Rachel Sabella. I am the Director of No Kid Hungry  
13 New York, which is a campaign of Share Our Strength.  
14 We're a national organization working to end  
15 childhood hunger, and I have the honor and privilege  
16 of taking that work here across New York State.  
17 Before I came down, I was sitting up in the balcony  
18 because I was thrilled to see how packed this room  
19 was. I actually check the Council website because I  
20 was having a little bit of déjà vu. In March 15<sup>th</sup>'s  
21 2017, you Chair Menchaca hosted a hearing here by the  
22 Immigration Committee on the impact of new  
23 immigration enforcement tactics and what that could  
24 mean for New York City, and we sat here less than two  
25 years ago talked about things like this and talked

2 about what this fear could do, and it saddens and  
3 hurts me and everyone here knowing that that is  
4 becoming a reality. But I also want to commend the  
5 Council for knowing that this was to come and for  
6 bringing it to the attention then. I have my written  
7 testimony here. Again, I came down late. So we'll  
8 make sure you get that. Nothing I am going to say is  
9 a surprise to anyone here. If this rule, these rules  
10 changes were to happen, we would see increased hunger  
11 among children and families, and I think the word  
12 that I've continued to hear today which is so  
13 striking is fear, because we know that anything that  
14 drives people into the shadows increases those  
15 hardships, and I think this Council in particular has  
16 put so much attention on school meal programs, and  
17 while school meals is not included in this language,  
18 we've heard a lot of rumors and we know what fear  
19 does. And when more than 900,000 children are eating  
20 meals-- 900,000 meals are served each day in New York  
21 City public schools, what would that do because of  
22 people's fears? So, I'm going to be brief, because  
23 we want more people to testify and we want everyone  
24 to get home before the snow. All I can do is say  
25 thank you and encourage everybody to raise your

2 voices. We are doing that. We've also engaged our  
3 chef community led by Chef Jose Andres [sp?], who  
4 have encouraged everyone to put their voices to get  
5 up on the record and make their voices heard on why  
6 this is terrible. So, we look forward to working  
7 with you. Thank you.

8 CHAIRPERSON MENCHACA: Thank you. And I  
9 know your testimonies have recommendations, and so  
10 we're going to be looking towards that, and  
11 potentially most likely contacting you later about  
12 budgets and need so that we can get that in early.  
13 Thank you. Next panel we have from the Brooklyn  
14 Defender Services, Mrs. Hickey, the Legal Aid  
15 Society, Hasan Shafiqullah, the Bronx Legal Services,  
16 Paula Arboleda, the Legal Services of NYC, Ms. Tonya  
17 Wong, the Director of Government Bench-- what is--  
18 what was that?

19 TANYA WONG: Government Benefits.

20 CHAIRPERSON MENCHACA: Benefits, there  
21 you go. And then Justine Kahn from The Door. I  
22 think I have everyone here. Okay, great. I think  
23 that's it for this panel.

24 NYASA HICKEY: Hi, my name is Nyasa  
25 Hickey and I'm Immigration Counsel at Brooklyn

2 Defender Services. We call on the City Council to  
3 pass these resolutions and submit a comment on the  
4 Federal Register and also continue to urge New  
5 Yorkers to submit individual comments, as you have  
6 been doing today. We strongly oppose the proposed  
7 rule on Public Charge. We echo what has already been  
8 said, that the proposed rule directly discriminates  
9 against and excludes middle income, low income, poor  
10 and immigrant families from being able to seek long-  
11 term, stable status in the United States. The rule  
12 change sends the message that low income immigrants  
13 are not valuable community members and they're not  
14 welcome in the United States. We represent thousands  
15 of New York, non-citizen New Yorkers every day.  
16 Most-- many of them live in mixed status households  
17 of U.S. citizens, LPRs, green card holders, visa  
18 holders, and people without documents. They're  
19 living together, working together, and supporting one  
20 another. Many of them will be affected if the  
21 proposed rule goes into effect. In our written  
22 testimony we-- excuse me. In our written testimony  
23 we specified some of the categories of people who  
24 will be affected by the proposed rule. At BDS we've  
25 already seen how the mere proposal of this rule has

2 made immigrant families afraid to seek out programs  
3 and benefits that support their basic needs. We've  
4 been inundated with questions from our clients, many  
5 of whom would not even be affected by the proposed  
6 rule, but are terrified none the less. Some clients  
7 are also refusing to apply for certain benefits even  
8 after we advise them that the rule change will not  
9 affect them. Under this atmosphere of fear and  
10 xenophobia, they're not assured by our analysis and  
11 our advice. Furthermore, many of our clients are  
12 being told by other people, agencies, unscrupulous  
13 lawyers, and the media that they are ineligible to  
14 apply for certain benefits and should withdraw from  
15 benefits immediately or face deportation. This is  
16 inaccurate and unnecessarily spreads fear. So, we  
17 have two recommendations. First, we ask the City to  
18 improve training for city benefits navigators and  
19 other city staff who interact with and advise  
20 immigrant New Yorkers. Our immigrant clients seeking  
21 to enroll in benefits have already been mistakenly  
22 told by navigators that they do not qualify for  
23 benefits because they are non-citizens. This is not  
24 necessarily related to the Public Charge proposed  
25 rule, but is a continuing problem. They have also

2 interrogated our clients about the basis of their  
3 employment authorization when they're trying to  
4 enroll in benefits, asking them why their social  
5 security numbers haven't been processed yet and  
6 asking other interrogatory questions that are-- that  
7 create more of a fear and a disincentive for people  
8 to enroll. In many of these cases, the navigators  
9 are simply uniformed about all the complexities of  
10 immigration law, but BDS then has to use our staff  
11 resources to advocate with the benefits navigators to  
12 enroll our clients in the benefits that they are  
13 entitled to, and this has further deterred some of  
14 our clients from seeking the benefits they are  
15 entitled to and made them afraid of interacting with  
16 city agencies. We also ask the City to continue to  
17 funding and supporting organizations like BDS that  
18 provide direct legal services advice to immigrant New  
19 Yorkers. Immigration analysis and risk advisals  
20 [sic] has become increasingly complex. They require  
21 a lot of time, investing in an individuals'  
22 immigration history and applying the constantly  
23 changing and more stringent federal immigration  
24 policies. Applications that were previously  
25 considered to be simple are no longer simple. Each

2 application requires an enormous amount of time and  
3 resources. They are subject to delays, require  
4 follow-ups in the forms of request for evidence, and  
5 if they're denied under this Administration, an  
6 individual faces the risk of deportation under the  
7 new referral of notice to appear policy. As we've  
8 also heard, the time and resources required to give  
9 people the advice and counsel about the Public Charge  
10 Rule, the proposed rule, how it might go into effect  
11 are very intense and require a lot of resources. So,  
12 I thank the City Council for supporting these  
13 resolutions as one of the ways that the City is  
14 reassuring immigrants that they are welcomed and  
15 valued members of the New York City community.

16 CHAIRPERSON MENCHACA: Thank you. And  
17 Hasan, before you go, the-- I think some of the  
18 bigger questions that you've made mem think about for  
19 folks as they focus their testimony are the kind of  
20 ways that legal needs are changing, the kind of  
21 applications that you're filing, are we talking more  
22 habeas corpus stuff that I know we're already seeing?  
23 That kind of texture would be great, and how you're  
24 tracking a kind of Public Charge impact in terms of  
25 budget increases and need. Those are the kinds of

2 things that would be great to hear from this panel.

3 Thank you.

4 HASAN SHAFIQULLAH: Good afternoon. I'm  
5 Hasan Shafiqullah, attorney in charge of the  
6 Immigration Unit at the legal Aid Society. I wanted  
7 to start by just answering two of the questions that  
8 had been posed to Commissioner Mostofi, and she said  
9 maybe legal service providers could answer them. So,  
10 I'd like to take a stab at that. So, one was whether  
11 an organization or an agency could serve as the  
12 affidavit of support sponsor or the-- excuse me, on  
13 an affidavit of support, which is a great idea and is  
14 exciting to hear that the Council is considering  
15 things along those lines which is creative.

16 Unfortunately, under the Immigration Nationality Act,  
17 Section 213A, paragraph F, it has to be an individual  
18 citizen or a green card holder who is 18 or older and  
19 lives here. So, it can't be an agency, so that's  
20 unfortunate. The second thing was a question about  
21 whether medical records need to be submitted as part  
22 of immigration applications. Generally, no. if it's  
23 an application where you're seeking to show that  
24 hardship would-- you yourself as the applicant would  
25 be seeking some sort of hardship, which some of them

2 allow, you might need to provide medical records, but  
3 as part of this Public Charge proposed regulation  
4 there's a pernicious new form that they're proposing  
5 which was posted on the regulation's website which is  
6 called a 944 Declaration of Self-Sufficiency, and on  
7 this form you have to list all kinds of things about  
8 yourself including your work history, your credit  
9 report, or why you don't have a credit report, and  
10 you give a letter saying that you don't have one, any  
11 waiver you've ever asked for from Immigration and  
12 why, and any past use of benefits ever, and I want to  
13 get back to that in a moment, because I think it  
14 implicates the City and the State in terms of a  
15 burden, but at the very end it asks about reasonable  
16 accommodations. Are you going to need a reasonable  
17 accommodation for whatever it is that you're seeking?  
18 So if I'm filling out a citizenship application, it  
19 makes sense to ask about that. Will I need some sort  
20 of interpretation or something? But this declaration  
21 of self-sufficiency, for them to ask me about  
22 reasonable accommodations on this form seems like a  
23 backdoor where you're trying to get at my medical  
24 situation. Like, will I actually become a Public  
25 Charge because I don't need an accommodation for X

2 sort of condition, and so that is worrisome. In  
3 terms of the past use of any benefits, an applicant  
4 who is subject to Public Charge like anyone who's  
5 trying to get their green card through a family  
6 member not only would need an affidavit of support,  
7 but complete this form and list any benefits they've  
8 had in the past, and show when it started, what it  
9 was, when you started, when it stopped. The burden  
10 on HRA and on the State level on DSS is going to  
11 tremendous. So in terms of city and state government  
12 doing comments and pushing back against this, I think  
13 that administrative burden is considerable. I only  
14 have 23 seconds left. So, we have a couple of  
15 recommendations. I'll just stand on my written  
16 testimony for those. Thank you.

17 TANYA WONG: Good afternoon. My name is  
18 Tanya Wong and I'm the Director of Government  
19 Benefits at Legal Services NYC. I'd like to thank  
20 the Council for calling this oversight hearing into  
21 this important issue. Legal Services NYC is the  
22 largest civil legal services provider in New York  
23 City and is dedicated to fighting for racial, social  
24 and economic justice for all New Yorkers. I am going  
25 to skip some of the stats of the number of people we

2 represent, but we represent thousands of low income  
3 New Yorkers access benefits-- access and maintain  
4 benefits in New York City, many of which are  
5 noncitizens. My comments are going to address the  
6 impact and the harmful effects of the new rule, the  
7 chilling impact on U.S. citizen children not being  
8 able to avail themselves of SNAP benefits due to the  
9 chilling impact of this rule, because non-citizens  
10 parents, their fears around accessing benefits, and  
11 the negative impact on New York City's economy. In  
12 addition I'm going to make some comments about the  
13 impact on deepening the homelessness crisis in New  
14 York City, and my colleague Paula, our leader from  
15 Bronx Legal Services, is going to address the impact  
16 that the new Public Charge rule would have on HIV-  
17 affected individuals in particular. So, as my  
18 written testimony says, and I'll just try to hone in  
19 on the-- very succinctly-- on the rationale for our  
20 key recommendations which are on the last page of our  
21 written testimony. But we believe that the new rule  
22 would harm U.S. citizen children and have a negative  
23 impact on New York City's economy due to the loss of  
24 federal SNAP dollars. I would commend to you the  
25 fiscal policies institutes simulations in which they

2 estimate the impact on New York City's economy and  
3 the number of people who will be impacted by this  
4 rule in New York City. they estimate that this rule  
5 will have a chilling impact on over 2.8 million  
6 people in New York's-- in New York State, and you  
7 know,-- oh, I'm sorry, I just misstated that. They  
8 estimate that the chilling effect of the rule will  
9 impact 2.1 million people and 680,000 children in  
10 households that include one non-citizen who are  
11 receiving one of the newly defined public benefits  
12 for the purposes of Public Charge under this new  
13 rule. And the recommendation that I want to point  
14 out to you is-- and I'll be very brief. We believe  
15 that the New York City HRA needs to proactively take  
16 steps to protect the identities of ineligible non-  
17 citizens who have US citizen children who are  
18 eligible for SNAP and Medicaid. The Chair of the  
19 Health Committee Levin mentioned that we need to be  
20 on the same page with the State. A lot of this data  
21 is in a state database, and we believe it will  
22 mitigate the chilling impact if we are sure that that  
23 information will remain confidential. Likewise,  
24 Council Member Miller mentioned and asked about other  
25 city and state housing subsidies which are indeed not

2 listed as public benefits in this rule, in this  
3 proposed rule. However, in New York it does, the  
4 rule does talk about ongoing income maintenance  
5 programs and list that as a public benefit. So, our  
6 recommendation is that-- our second recommendation is  
7 that the City needs to really de-couple and separate  
8 its housing subsidies from-- that are not public  
9 benefits under this new rule and separate it from  
10 income maintenance cash programs, because a lot of  
11 these housing subsidies in the city, they have this  
12 requirement of having an open public assistance case,  
13 and I think it behooves the agents to really separate  
14 and decouple the housing-- our unique city and state  
15 housing subsidies from ongoing general maintenance  
16 cash programs which do count as income maintenance.  
17 And I'll turn it over to Paula.

18 PAULA ARBOLEDA: So, my name is Paula  
19 Arboleda. I'm the Deputy Director of public benefits  
20 in LGBTQ units at Bronx Legal Services. So, Legal  
21 Services NYC assists hundreds of HIV-positive  
22 individuals to access benefits, including Medicaid  
23 and other public health insurance programs. As it's  
24 already been mentioned, one of the heavily-weighted  
25 factors is related to medical conditions and use of

2 subsidized healthcare. We believe that the inclusion  
3 in the-- as heavily-weighted factors will result in  
4 adverse effects in general public health including  
5 potentially an increase in new HIV diagnoses, and  
6 two, it's sort of a back door to a defacto  
7 reinstatement of the HIV entry ban. While the rate  
8 of new HIV diagnoses among the general population has  
9 remained steady, medical services providers have  
10 noted that the rate of new diagnoses for Latinx men  
11 who have sex with men rose by 13 percent from 2010 to  
12 2014. Fear of deportation contributed to this trend  
13 by deterring people from getting tested or accessing  
14 care. These proposed changes come at a time when  
15 advocates and public health officials are working  
16 together to implement the Governor's Ending the  
17 Epidemic initiative, a three-point plan to move New  
18 York State closer to a decrease in HIV prevalence.  
19 It also undermines efforts to restructure the state's  
20 healthcare delivery system with the primary goal of  
21 reducing avoidable hospital use. Both efforts would  
22 be significantly undermined if the current proposal  
23 is passed, because of the effect that it's going to  
24 have on healthcare cost because non-citizens will be  
25 using the emergency room to get treatment instead of

2 accessing preventive care, ongoing care for chronic  
3 conditions through our traditional Medicaid-funded  
4 provider. As I mentioned, the proposed new  
5 regulations could operate as a de facto ban on  
6 admission via a visa or adjustment of status to  
7 permanent residency of HIV-positive immigrants to the  
8 U.S. because of the medical condition/health  
9 component of the proposal. It's estimated that  
10 roughly 40 percent of HIV-positive individuals in the  
11 U.S. are treated by Medicaid, and 87 percent live  
12 beneath 400 percent of the federal poverty limit, the  
13 baseline criteria for subsidies under the Affordable  
14 Care Act. Government spending on healthcare has been  
15 pivotal in managing HIV/AIDS along with other federal,  
16 state and local protections to fight discrimination  
17 and limitations-- and limiting access to individuals  
18 who are HIV-positive. It would be difficult for an  
19 HIV-positive person who is a non-citizen to stand--  
20 withstand the proposed new regulations. As such, we  
21 recommend that New York City distinguish all  
22 benefits, services, including housing assistance,  
23 case management services, and health insurance based  
24 on HIV status from ongoing income maintenance program  
25 already referred to by Tanya. Thank you.

2 JUSTINE KAHN: Hi. Thank you so much for  
3 being here and for all the work that you've guys have  
4 already done and will continue to do. My name is  
5 Justine Kahn, and I'm here on behalf of The Door, a  
6 center of alternatives. The Door stands with many of  
7 our colleagues across the City in opposition to the  
8 proposed changes to this Public Charge rule. So, a  
9 little bit about our organization. For 40 years The  
10 Door has served as an invaluable resource for New  
11 York City's youth, including those facing  
12 homelessness, unemployment, poverty, and deportation.  
13 Our mission is to empower young people to reach their  
14 full potential by providing comprehensive youth  
15 development services in a diverse and caring  
16 environment. Each year we engage with nearly 11,000  
17 young people, ages 12 to 24, many of whom face  
18 serious barriers which impact their ability to  
19 thrive. Comprehensive services are offered free of  
20 charge to adolescents, including career and  
21 education, food and nutrition, legal immigration,  
22 primary and behavioral healthcare, creative arts  
23 programming and supportive housing. So this proposed  
24 Public Charge rule is particularly infuriating for us  
25 at The Door because of this variety of perspectives

2 that we have due to this wrap-around model. So we're  
3 looking at it legally and healthcare-wise and housing  
4 and food and seeing all the ways that this would  
5 combat the services that we are so passionate about  
6 providing to our already underserved youth. So I  
7 want to focus a little bit on our legal center and  
8 explain what that team does, and let me just note  
9 that I am not in the legal department, but you know,  
10 it is important to this proposed change. So each  
11 year, our Legal Services center engages over 1,500  
12 young people from all over the world and provides  
13 them with high-quality representation and a wide  
14 range of civil legal matters including family law,  
15 immigration, housing, employment issues, and public  
16 benefits. Our legal services Center has positioned  
17 itself as a field leader in protecting unaccompanied  
18 minors seeking refuge in New York City, and  
19 supporting them to obtain lawful permanent residence.  
20 A key part of our immigration practice is our  
21 participation, the I Care Coalition, and innovation  
22 public/private partnership designed to support the  
23 massive surge in unaccompanied minors fleeing Central  
24 America and seeking permanent residency in the United  
25 States. Through I Care, we seek to ensure legal

2 screenings for all children in removal proceedings  
3 and provide legal representation for those residing  
4 in New York City. Working both internally and  
5 collaboratively with our I Care partners, we have  
6 developed effective working systems for addressing  
7 the short and long-term needs of the many young  
8 people arriving here fleeing horrific conditions  
9 including gang violence, child abuse, domestic  
10 violence, hunger, and homelessness. I care has been  
11 critical to ensuring that these children have access  
12 to an attorney to fight for their right to remain in  
13 the United States, and it will continue to do so.  
14 The well-being of our young people is at stake  
15 because of the continued attacks they face by this  
16 Administration. Over the past year, we have seen  
17 firsthand and unannounced policy changes to the  
18 Special Immigration Juvenile Status, which led to a  
19 dramatic increase in denials. So, cases that we had  
20 been winning for decades were now being denied. The  
21 Public Charge rule further complicates an already  
22 difficult conversation we must have with our clients.  
23 How do we know-- how are we now supposed to advise a  
24 young person on what to do if this rule goes into  
25 effect? Must we really tell them to choose to

2 accessing food, housing, and healthcare, and putting  
3 their entire immigrant status in jeopardy? I will  
4 stop there. Thank you.

5 CHAIRPERSON MENCHACA: I have one  
6 question for this team. There are teams that we have  
7 already kind of pulled together around NYFUP for  
8 detention and unaccompanied minors. Is there a group  
9 forming right now around Public Charge? Is that  
10 something that's happening in organizing itself?

11 : So there's been a coalition of groups  
12 including Legal Aid and the New York Immigration  
13 Coalition and many of the folks here who have been  
14 working together on developing outward facing  
15 materials, client advisories, screening tools. Legal  
16 Aid, the Empire Justice Center and Make the Road New  
17 York are hopefully this week finally releasing our  
18 screening tool that caseworkers can use if they have  
19 a non-citizen sitting in front of them to see is it  
20 safe for them to receive benefits or not. So,  
21 there's a lot of coordinated advocacy going on around  
22 the City and around the State.

23 CHAIRPERSON MENCHACA: And are you  
24 working with the Bar, the Bars, the Bar?

2 : Yes, we're working with both the New  
3 York City Bar Association and the State Bar  
4 Association.

5 CHAIRPERSON MENCHACA: Okay, cool. I  
6 think maybe they're here--

7 : [interposing] Immigration [inaudible]

8 CHAIRPERSON MENCHACA: and they're going  
9 to testify later. Great, thank you.

10 PAULA ARBOLEDA: And with Bronx Legal  
11 Services we've been working with the Bronx  
12 Immigration Partnership to hold community events.  
13 Our general legal services hotline that clients can  
14 call to get individualized screenings as to whether  
15 Public Charge applies to them even if it were to  
16 pass, and it's available Monday through Friday, 10:00  
17 to 4:00.

18 : I'll also say they've developed a  
19 fantastic screening tool, too, that we can share with  
20 the Council.

21 CHAIRPERSON MENCHACA: Awesome. Keep  
22 working together and let's keep talking about needs  
23 and things that are changing on the ground. Thank  
24 you so much for your testimony today. Make sure you  
25 submit it if you haven't. And you probably already

2 filled out your comment, but fill out your comment  
3 before you leave, please, please, please, please.

4 How many comments have we had so far? Four, we're  
5 still at four. Please, please just walk over there  
6 and make a comment. It's just so important. We had  
7 17 done in the Bronx when we had our Town Hall  
8 earlier this week. Let's at least reach 17, please.

9 Okay, next panel we have: The Citizens Committee for  
10 Children of New York, Alice Bufkin. we have the HIV  
11 Law Project, Alisha Mohammed, this is part of Housing  
12 Works, Public Health Solutions, Marla Tepper, Planned  
13 Parenthood, Larissa Vasquez, Chelsea Goldinger, the  
14 LGBT Community Center, please come on. Raise your  
15 hand if you're waiting to testify? Great, thank you.  
16 Please, please hold. We're going to try to get  
17 through as many as possible. And remember, please go  
18 out to the back and fill out your comment as you're  
19 here listening to testimony. You can-- want to  
20 start? Go for it. Just make sure it's red.

21 CHELSEA GOLDINGER: Hello, my name is  
22 Chelsea Goldinger. I'm the Government Relations  
23 Manager at the Lesbian, Gay, Bisexual, and  
24 Transgender Community Center, commonly known as The  
25 Center. We offer a lot of different services

2 affected by this proposed change. First of all, we  
3 have immigrant support services. We have-- we often  
4 right asylum letters of support. I think that's a big  
5 place that we've heard a lot of misinformation. That  
6 community is not impacted currently by the proposed  
7 changes, and we definitely had folks coming through  
8 our doors who are incredibly anxious about kind of  
9 what their application looks like and what that could  
10 mean for support they obviously desperately need. I  
11 think on that same path we've actually seen our wait  
12 list double for our support services and our  
13 immigrant support services team more than double in  
14 the past about three months, which is pretty  
15 significant, and we are one of the only places with  
16 an LGBTQ-specific immigrant support services, and so  
17 we've definitely seen that demand and doing a lot  
18 more referrals out. In addition, we have actually a  
19 designated navigator agency from New York State to  
20 help folks enroll in the Exchange, and we've actually  
21 seen people come through our doors and then come back  
22 a week later asking for help dis-enrolling in  
23 programs, which is pretty disheartening.

24 CHAIRPERSON MENCHACA: Can you repeat  
25 that last-- they're coming back for what?

2 CHELSEA GOLDINGER: Yeah, sure. Sorry?

3 CHAIRPERSON MENCHACA: They're coming  
4 back? They're coming back again?

5 CHELSEA GOLDINGER: They're asking if  
6 they could dis-enroll. So we're in the enrollment  
7 period right now, of course, and that's been really  
8 alarming, and we've also seen-- I mean, we don't have  
9 the final numbers since we're still in enrollment,  
10 but we've definitely seen a decline compared to what  
11 we usually see this time of year. And then, I think,  
12 one little anecdote that we just thought was  
13 especially was against pieces of misinformation we're  
14 hearing from this community. We did hear from a  
15 woman who it wasn't even speaking to the healthcare.  
16 It was about SNAP benefits, and her son was in the  
17 process of applying for citizenship who was already a  
18 legal permanent resident. She was so terrified. She  
19 dis-enrolled in all of her benefits and came up to us  
20 looking just for food pantries because she no longer  
21 wanted to receive SNAP benefits, and again, proposed  
22 rule wouldn't impact her. so I think from our  
23 perspective, one of the biggest things we're seeing  
24 is just overwhelming misinformation, and we would  
25 love to sort of just help kind of clarify that and

2 kind of for these communities who are so isolated and  
3 marginalized already, making sure that they feel safe  
4 and comfortable. So, definitely excited about the  
5 work Empire State Justice and the others are doing to  
6 kind of help provide that and definitely support the  
7 Council taking action as a body against these  
8 proposed changes.

9 CHAIRPERSON MENCHACA: Thank you. And an  
10 open question if you can incorporate that into your  
11 testimony is any factors that you're seeing that's a  
12 positive and constructive change of heart as you're  
13 seeing the fear. It'd be great to just kind of get  
14 any texture on who is it that needs to talk to them  
15 to land the message that they can stay enrolled right  
16 now. It'd be good to hear.

17 CHELSEA GOLDINGER: Yeah, definitely. I  
18 think the biggest issue we have, and someone else  
19 spoke to this in their testimony as well, is  
20 misinformation from some attorneys who are coming--  
21 they're coming to us and they're saying, "I was told  
22 don't enroll this year. This is going to affect your  
23 status in a month." So it's really hard. We actually  
24 don't have any attorneys on our staff. Our staff is  
25 counselors and psychologists and support providers,

2 and so it's hard for them to respond in a way that's  
3 convincing. So, I think something from government is  
4 always helpful, because that's of course another  
5 authority in that space, but I think--

6 CHAIRPERSON MENCHACA: [interposing]

7 Great.

8 CHELSEA GOLDINGER: that's our challenge.

9 CHAIRPERSON MENCHACA: If anyone else can  
10 just speak to that, too. What-- has it been a  
11 government official? Has it been one of us? Has it  
12 been one of you that has really changed or turned the  
13 corner around that bad, confused information to  
14 productive understanding?

15 ALICE BUFKIN: Thank you. Good  
16 afternoon. My name is Alice Bufkin, and I'm the  
17 Director of Policy for Child and Adolescent Health  
18 for Citizens' Committee for Children of New York.  
19 We're an independent, multi-issue, children's  
20 advocacy organization committed to making sure every  
21 New York child is healthy, housed, educated, and  
22 safe. Thank you very much for having this hearing.  
23 It's really critical. You've heard extensively today  
24 already about the devastating impact of the Public  
25 Charge Rule. There's more information in my public

2 comments with some of the data points that you may be  
3 familiar with, but it's very clear that, you know, in  
4 large part because of the chilling effect. We will  
5 see more women avoiding critical prenatal care. We'll  
6 see impacts in the overall health of families. We  
7 know that cutting back on household's nutritional  
8 resources will mean more children will face food  
9 insecurity, and we know that in a city where we  
10 already have one in ten students who are homeless,  
11 we're going to see even more impacts on homelessness  
12 in New York. So, it's critically important that the  
13 Trump Administration hear from as many people as  
14 possible in opposition. So we're very grateful to  
15 all the efforts the City Council is doing in that in  
16 that way. We strongly support both resolutions  
17 today, and we do believe there's some additional  
18 steps that the City can take to address the potential  
19 impacts of this rule change. First, we support the  
20 City's ongoing efforts to educate the public that the  
21 rule hasn't yet been finalized, to educate about who  
22 would and wouldn't be impacted, and to combat the  
23 chilling effect of families dropping out of services  
24 that aren't included in the rule. But it's clear  
25 from much of the testimony today and many other areas

2 that many immigrants will continue to view it as  
3 unsafe to access public programs, even if they're not  
4 directly referenced in the rule. New York City can  
5 combat this by supporting city-led programs that  
6 provide supplements to crucial federal health,  
7 housing, and nutritional support. So we already  
8 heard earlier about the importance of programs like  
9 EFAB [sic]. You know, I know many members of this  
10 council are supportive of Action Health NYC. So while  
11 that was privately funded, it is sort of an example  
12 of ways to specifically target immigrant communities  
13 and get them resources that they need. And we also  
14 want to emphasize the importance of supporting  
15 existing universal programs that are available  
16 regardless of immigration status, so things like the  
17 Universal School Lunch. I know you know that this,  
18 you know, provides school lunch to all students  
19 regardless of income or immigration status; however,  
20 more work could be done to publicize the availability  
21 of school lunch and ensure that there's robust  
22 communication and promotion of this program and  
23 others like it. You know, we think at this time it's  
24 more important than ever to make sure that the  
25 programs we do have that are available get the kind

2 of sort of outreach and education and promotion to  
3 make sure that they are, sort of, alternatives when  
4 families are fearing accessing other programs. And  
5 we want to echo all of the comments and support of  
6 increased funding, training, and legal service  
7 connections for public benefit navigators and  
8 administrators. You know, we appreciate the work  
9 that's already been done, but we know that, you know,  
10 navigators and community health workers and HRA will  
11 all be critically important moving forward. a key  
12 component of the success is ensuring that the  
13 workforce has adequate training around the Public  
14 Charge and has the resources they need to refer and  
15 connect clients to free legal care. Again, that's  
16 something that we've heard repeatedly today. So, any  
17 efforts the city can make to strengthen linkages  
18 between health and social service providers and legal  
19 services will help mitigate the impacts of this rule.  
20 Is that-- yes? Thank you. And just echo the port  
21 for-- widespread support for legal services. Thank  
22 you.

23 LARISSA VASQUEZ: Good afternoon. My name  
24 is Larissa Vasquez, and I'm the Associate Director of  
25 Community Engagement at Planned Parenthood of New

2 York City. I would like to thank Committee Chair  
3 Council Members Steven Levin, Carlos Menchaca and  
4 Mark Levine for holding this important oversight  
5 hearing on the impact proposed changes to the Public  
6 Charge Rule will have on New Yorkers as well as your  
7 commitment to supporting immigrant New Yorkers'  
8 access to healthcare. Planned Parenthood of New York  
9 City has been a leading provider of sexual and  
10 reproductive health services in New York City for  
11 over 100 years, reaching approximately 85,000 New  
12 Yorkers annually through our clinical and education  
13 program. At PPNYC I oversee our Promotores de Salud  
14 program. The Promotores de Salud are trained peer  
15 advocates and educators who aim to increase access to  
16 sexual and reproductive health services for Spanish-  
17 dominant Latinx in New York City, integrating  
18 information about health topics and the healthcare  
19 system into their community's culture, language and  
20 value system. Over the summer of 2018 while  
21 providing medical interpretation on our mobile  
22 medical unit, our staff saw a patient who was very  
23 hesitant to be referred to the public hospital system  
24 for cancer follow-up because of what she had seen on  
25 the news about the Public Charge Rule. The patient

2 is undocumented and was afraid that if she accesses  
3 any public services, including basic healthcare, it  
4 would compromise her eligibility to apply for a visa  
5 or green card. We know that the earlier cancer is  
6 detected, the better the odds are for our patients.  
7 However, the fear of becoming a Public Charge became  
8 another obstacle for her to navigate, and she is not  
9 alone. Many members of immigrant communities have  
10 already expressed similar concerns. The proposed  
11 changes to Public Charge are another attack by the  
12 Trump/Pence Administration on immigrant communities  
13 around the country. If enacted, the rules could harm  
14 more than 475,000 immigrants New York-- immigrants in  
15 New York City. Of that, more than 75,000 immigrant  
16 New Yorkers will be forced to decide between  
17 accessing public benefits, obtaining their green  
18 cards or other adjustments to their immigration  
19 status. The proposal's rule greatly expands the  
20 scope of government benefits considered when  
21 determining who is the Public Charge, Medicaid, SNAP,  
22 public housing, and Section 8 assistance vouchers and  
23 low-income subsidies for prescriptions for Medicare  
24 beneficiaries. These changes will force thousands of  
25 immigrant New Yorkers, including legal permanent

2 residents who are not subjected to the Public Charge  
3 test to withdraw from public benefits due to fear and  
4 misinformation. As a trusted healthcare provider, we  
5 see firsthand the challenges and barriers immigrant  
6 New Yorkers face when accessing care. When our  
7 financial counselors inquire about patient's  
8 immigration status, patients increasingly refuse to  
9 provide this information and no longer wanted to  
10 apply for insurance. Many patients would then also  
11 refuse to be screened for reduced-fee services  
12 available regardless of documentation status,  
13 ultimately opting to pay the full fee for care. We  
14 expect that these occurrences are going to increase  
15 if the Public Charge Rule change goes into effect.  
16 More broadly, the proposed rule on Public Charge  
17 would impact the existing public health crisis and  
18 exacerbate problems like food security, lack of  
19 affordable housing, and jeopardizing education  
20 [inaudible]. We applaud your commitment to this, and  
21 we're really looking forward to working together and  
22 making sure that we can help-- sorry. Continue to  
23 work with the council and the Administration in  
24 shared efforts to break down the barriers immigrant

2 New Yorkers face and realizing safe and healthy  
3 lives. Thank you.

4 MARLA TEPPER: Good afternoon, I'm Marla  
5 Tepper, General Counsel and Vice President of Legal  
6 Affairs at Public Health Solutions. Thank you so  
7 much for inviting us to testify today and for your  
8 commitment and strength in opposing this horrendous  
9 rule. I want to talk a little bit about Public  
10 Health Solutions and then address some of the  
11 specific questions that came up today. We're one of  
12 the City's largest nonprofits and we support  
13 vulnerable New York City families and the communities  
14 that surround them in achieving optimal health and  
15 building pathways to reach their full potential. We  
16 focus on a wide range of public issues that  
17 overwhelmingly affect the ability of underserved New  
18 Yorkers to live their healthiest lives. We do a lot  
19 of different types of work. We focus on food and  
20 nutrition, health insurance, maternal and child  
21 health, reproductive and sexual health, tobacco  
22 control, and HIV/AIDS. So we are acutely aware of  
23 the impact of the proposed rule. More than 40,000 low  
24 income women and children receive food and nutrition  
25 through our WIC program, the largest WIC program in

2 New York State. You heard earlier about the data that  
3 we collected, which showed the chilling effect of the  
4 proposed rule even before it went into effect, and  
5 we've documented that in our testimony, because of  
6 its-- how telling it is, I'm going to just briefly  
7 touch on that. We saw the drop off-- we've seen  
8 significant drop-offs in our WIC caseload in the  
9 first and second quarters of 2017 and then again in  
10 the second quarter of 2018. The drop-off numbers  
11 were highest in November 2016, January 2017, April  
12 2017, and May 2018. That correlated directly with  
13 President Trump's election and inauguration, the  
14 first leaked immigration order, and the second leaked  
15 order. In these months, drop-offs spiked between  
16 four and six times the usual rate, ranging from a  
17 drop-off of 395 to 640 families dropping out of our  
18 WIC program in contrast to the average WIC monthly  
19 attrition rate of 105. So that's pretty scary and  
20 telling as to what we can expect. We've been working  
21 with other advocacy groups, with Legal Aid, with the  
22 New York Immigration Coalition, and others, and we've  
23 been providing our clients with the phone number for  
24 the New Americans hotline if they have questions  
25 about how the Public Charge Rule applies to them.

2 Providing people with information is really  
3 important. Like one of my colleagues here, we don't  
4 have lawyers on staff in each of our field offices,  
5 so connecting people to information is really  
6 critical.

7 ALISHA MOHAMMED: Good afternoon,  
8 Chairpersons Menchaca, Levin, and Levine, members and  
9 staff of the Committees on Immigration, General  
10 Welfare, and Health. My name is Alisha Mohammed. I  
11 am the Supervising Immigration Attorney at the HIV  
12 Law Project. On behalf of the HIV Law Project I  
13 appreciate the opportunity to testify before you  
14 today regarding the impact of the proposed changes to  
15 the Public Charge regulations on immigrant population  
16 living with HIV and AIDS in New York City. The HIV  
17 Law Project, a part of Housing Works, was founded in  
18 1989 in response to the growing need for legal and  
19 advocacy services for low income people living with  
20 HIV or AIDS in New York City. In addition to our  
21 policy advocacy and impact work, we have handled over  
22 20,000 individual legal cases for our clients. The  
23 overwhelming majority receives public assistance and  
24 depends on Medicaid or ADAP [sic] to obtain access to  
25 HIV primary care. Most come from New York City's

2 poorest communities and frequently have few  
3 educational, familial, and community resources at  
4 their disposal. The HIV Law Project represents New  
5 Yorkers living with HIV in immigration housing and  
6 benefits. The HIV Law Project applauds your efforts  
7 to learn more about the impact of the proposed  
8 changes on the immigrant population in New York City  
9 living with HIV and AIDS. The new Public Charge Rule  
10 would force immigrants living with HIV and AIDS to  
11 choose between either remaining in unlawful status  
12 without critical subsistence benefits such as housing  
13 assistance or B, filing for legal status and  
14 benefits, only [inaudible] immigration prospects as  
15 Public Charges. If finalized, the regulation would  
16 chill access to critical programs that help with  
17 housing, food and other essentials to immigrants  
18 living with HIV. For individuals living with HIV,  
19 housing is healthcare. Indeed, as a substantial body  
20 of research demonstrates that for people living with  
21 HIV and AIDS, housing is one of the most important  
22 factors in accessing medical care and maintaining  
23 one's health. In turn, by complying with treatment  
24 regiments, people living with HIV can reduce their  
25 viral load until it become undetectable by normal

2 blood test. According to the CDC, people who take  
3 ART daily as prescribed and achieve and maintain an  
4 undetectable viral load have effectively no risk of  
5 sexually transmitting the virus to an HIV-negative  
6 partner. This is key to ending the epidemic. The  
7 Public Charge Rule would have an immediate and  
8 devastating impact on the health and welfare of  
9 immigrants living with HIV/AIDS and on the campaign  
10 to end AIDs. This is because under the proposal  
11 immigrants who file an application with the USCIS  
12 will be compelled to forgo housing assistance and  
13 other life-sustaining benefits less they be deemed a  
14 public charge. Before filing an application with  
15 USCIS, immigrants living with HIV rely upon AIDAP  
16 [sic] which is paid for under Part B of the Ryan  
17 White Program for prescription drug coverage, but go  
18 without Medicaid, food stamps, rental assistance, and  
19 other critical benefits. Currently, immigrants in  
20 New York can access these critical subsistence  
21 benefits through the HIV/AIDS Services Administration  
22 after filing an application with USCIS, thereby  
23 becoming PRUCOL [sic], a person residing on the call-  
24 off [sic] law. Unlike AIDAP, however, Medicaid is a  
25 target of the proposed regulation. Hence the filing

2 of any immigration application-- I have a couple of  
3 recommendations. Can I just go through--

4 CHAIRPERSON MENCHACA: [interposing] Yeah,  
5 focus on the recommendations.

6 ALISHA MOHAMMED: Yes. Pass resolution  
7 calling upon Governor Cuomo and the State Government  
8 to require that funding for HIV, Medicaid HIV, its  
9 coverage comes solely from Ryan White federal funds  
10 or from New York State only funds and launch an  
11 education campaign for immigrants living with  
12 HIV/AIDS, reassuring them that medical coverage that  
13 does not impact the immigration status, AIDAP and  
14 AIDAP+ is available in the City, and educate the HRA  
15 staff on which benefits can be accessed without  
16 negatively affecting legalized and immigration status  
17 so that they can provide accurate guidance to  
18 immigrants living with HIV and AIDS.

19 CHAIRPERSON MENCHACA: Thank you. And  
20 with that, I want to say thank you for this panel.  
21 Be safe out there. It's getting dark and cold and  
22 snowy. Thank you so much, and we're going to keep  
23 working together to figure out how to address not  
24 just the issues that you're bringing up, but how to  
25 get the information out to everybody else. Our next

2 panel, we have from the NASWNYC Chapter, Marlina  
3 [sic] Gustine [sp?] Mendez, the NASWNYC Chapter, Emma  
4 Cathel [sp?], from NASWNYC, New York City Immigration  
5 and Global Committee, Astrid Casasola [sp?], Ernie  
6 Collette, from the NYC Bar Association. Thanks for  
7 staying Ernie. New York Legal Assistance Group,  
8 Joseph Lavelle Wilson, and then NYLAG, Abbie  
9 Biberman, Biberman-- Biberman, thank you. Let's get  
10 you all onto the panel. And are the rest that I  
11 called not here? Okay, well you couldn't say you're  
12 not here if you're not here. Okay, so it looks like  
13 we have a few slots open. Can I look at the next  
14 panel? Okay, so let's get on the Asian Immigrant  
15 Advocate CPA Mai Lee [sp?] onto this panel, Albert  
16 Kahn, if you're here, let's get you from CAIR. And  
17 then Dimitri Glinski from the Russian-Speaking  
18 Community Council. And I think that'll fill us up  
19 for the panel. Okay, let's keep going. She went to  
20 the restroom, okay, great. Okay, so let's wait for  
21 her. Is the Asian American Advocate Ada Carr [sp?]  
22 here? Yes? Let's get you on. Ms. Prottum [sp?]?  
23 And then CPC, Carolyn Cohen. Carolyn is that you?  
24 Okay. Okay, great. Dimitri, would you like to start?  
25 Just make sure-- okay.

2 DIMITRI GLINSKI: Do you hear me? Yes,  
3 okay. Dear members of the committee and fellow New  
4 Yorkers, [speaking Spanish]. Good evening. Thank  
5 you for all that has convened this very important  
6 hearing and for the committee staff for inviting me  
7 to testify as a community organizer and an immigrant  
8 myself. I'm here on behalf of the Russian-Speaking  
9 Community Council that since 2011 has been as an all-  
10 volunteer nonprofit organizing and advocating for  
11 about 200,000 immigrants and new Americans from  
12 [inaudible] Soviet countries, the third largest  
13 linguistic minority in our city. There are two parts  
14 to my one-page testimony that will be distributed to  
15 you shortly. First of all, our organization fully  
16 supports what has been said before very eloquently  
17 including today that this DHS proposal is harmful to  
18 our communities, especially to American families with  
19 non-US members, to immigrants with children in need.  
20 It's harmful to our economy. Specifically, I would  
21 like to say that in my own immigrant community many  
22 high-skilled professionals have to use this public  
23 benefits in their first years in the US because of  
24 the rejection and discrimination they are facing in  
25 this initial period before they're able to break

2 through those barriers to an income that matches  
3 their economic value [sic] and their use of public  
4 benefits is later compensated many times over by the  
5 benefits accruing to the US economy through their and  
6 their children work and entrepreneurship. For this  
7 and many other reason RSCC supports-- fully supports  
8 the resolutions proposed here. This morning I  
9 submitted my public comment on behalf of our  
10 organization as thousand more people have done. We  
11 encourage the folks in our community also to submit  
12 their public comments, but we also encourage what I  
13 heard today, the conversation about City [sic]  
14 proactively looking for solutions to what might  
15 happen, and we have some proposals that I have no  
16 time to expand on today, including proposals related  
17 to the bond of 10,000 dollars or more that the new  
18 proposal might enforce on people found to be likely  
19 Public Charge. But now I'd like to go to the second  
20 half of my testimony, and that's very important for  
21 us to convey. Our group of organizations that are  
22 immigrant-led believe that our progressive city  
23 government should not only be on the defensive  
24 against what has hap-- what is coming from  
25 Washington, but that it should also keep expanding

2 the rights and the [inaudible] for immigrant New  
3 Yorkers, and that in the words that were spoken today  
4 by Speaker Johnson should stand as a beacon on the  
5 hill in this sea of madness. In this connection, our  
6 city has the immigrant population that is bigger than  
7 the entire population, for example, Chicago, the  
8 third largest city in the states, or of Paris and  
9 Rome, yet immigrants as a group have no  
10 institutionalized representation within our city  
11 government. In contrast, such cities as San  
12 Francisco and Portland have set up commissions on  
13 immigrant affairs that include representatives from  
14 their immigrant communities. I will just finish  
15 saying that we ask our city to catch up with them by  
16 creating such a commission that would have broader  
17 responsibilities in immigration. We brought this  
18 proposal to the City Charter Revision Commission  
19 where we were invited to testify, and today we're  
20 here to bring you the awareness of this campaign that  
21 we have launched. We hope that many of you here in  
22 this room will give it a thought and will sooner or  
23 later support it, and that before long it will also  
24 be up for discussion in this committee. Thank you  
25 for your attention.

2 CHAIRPERSON MENCHACA: Thank you, and if  
3 we can go to your left, let's get you on. Can we  
4 switch chairs? Oh, no, actually if you can sit-- if  
5 you're fine there you can testify from there.

6 CARLYN COWEN: Good afternoon. My name  
7 is Carlyn Cowen, pronouns "she/them." I'm the Chief  
8 Policy and Public Affairs Officer at the Chinese-  
9 American Planning Council. CPC serves over 60,000  
10 Asian American low-income and immigrant New Yorkers  
11 each year, the exact population that's going to be  
12 impacted by this Public Charge Rule. I would like to  
13 emphasize as others have that nothing has changed and  
14 the proposed rule hasn't been finalized, and also  
15 that this proposed rule never has to be finalized to  
16 have the exact impact it's intended to have, which is  
17 driving immigrant families into the shadows and  
18 systematically denying them of resources needed to  
19 survive and thrive. We've already seen the impact at  
20 CPC, even though the proposed rule has never been  
21 finalized. We have seen seniors asking to de-enroll  
22 from their SNAP benefits, which they depend on to put  
23 food on the table. We have seen people asking to de-  
24 enroll from the wait list for housing vouchers that  
25 they've been on years, or not apply for Section 8

2 housing. We've seen people asking about the  
3 prescription medications and if they should stop  
4 taking them so that they can apply for their green  
5 card. When we were doing Rapid Response trainings  
6 with our staff on how to talk to community members,  
7 and keep in mind that many human services staff are  
8 going to be impacted directly by this rule as well,  
9 one of our social workers asked me, "What should I  
10 do, tell my NYCHA clients to go live on the streets  
11 so that they can apply for their green card?" while  
12 the City has made an incredible commitment to  
13 protecting immigrant New Yorkers should this go  
14 through, the time for a coordinated response is now,  
15 and it has to be centered on the community-based  
16 organizations that have deep trust with the  
17 communities that are going to be impacted by this the  
18 most. We have seen misinformation in the media.  
19 We've heard of predatory immigration lawyers  
20 providing misinformation to people, and nothing that  
21 CPC, a community organization that has had deep  
22 connections in the community for over 50 years, has  
23 said to our community members, has dispelled that  
24 fear. So, imagine when that information comes from  
25 the government. In this climate, a notice from the

2 government, even a sanctuary government like New York  
3 City can drive deep fear. We've had community  
4 members come into our centers in full-scale panic  
5 attacks because they've received information with a  
6 city seal on it, only to find out later that it was  
7 just a simple generic notice. While efforts from  
8 MOIA to do translated fliers and other efforts like  
9 that are greatly appreciated, the website, which is  
10 where the bulk of the information lies, is still only  
11 in English, which leaves community organizations to  
12 fill the gaps. So, I would urge the City and the  
13 City Council as it moves forward with its repose to  
14 not wait until the rule is finalized, but to respond  
15 now, coordinated with the community-based  
16 organizations that have the community trust and have  
17 the language ability to dispel the fears to help  
18 immigrants remain in their benefits and to plan for  
19 whatever might come downline. Thank you again for  
20 your commitment to immigrant New Yorkers and to  
21 fighting this rule.

22 CHAIRPERSON MENCHACA: Thank you, Ms.  
23 Cowen, and we don't disagree with you at all on any  
24 one of those points, analysis, and recommendations.  
25 Chair Levine has a question for you.

2 CHAIRPERSON LEVINE: Great remarks,  
3 Carlyn. You used the term predatory attorneys, and  
4 we've heard today from other advocates who described  
5 attorneys who are misinformed and were offering  
6 incorrect information, but it sounds like you're  
7 talking about attorneys who are trying to extract  
8 money out of unwitting clients and using fear. Have  
9 you actually encountered-- this would be horrifying.  
10 Have you encountered such cases?

11 CARLYN COWEN: So, I want to be clear  
12 that there are incredible attorneys that are doing  
13 really important work to protect immigrant New  
14 Yorkers. There are also attorneys that simply have  
15 misinformation, and this is a very difficult rule.  
16 It's very complex and convoluted, and there are so  
17 many nuances to it that misinformation is easy to  
18 occur. And we have seen consistently, whether with  
19 Public Charge or whether with other areas of  
20 immigration, that if community members are not  
21 seeking information from trusted sources, from  
22 trusted immigrant attorneys, there are always going  
23 to be people that are ready to take advantage of  
24 climates of fear.

2 CHAIRPERSON LEVINE: Well, I'm glad you  
3 brought this up, and we as a City Council and really  
4 everyone who's advocating for the communities  
5 affected, need to have our antennas up for anyone who  
6 is attempting to exploit the fear to make a buck,  
7 whether they're attorneys or other providers, and if  
8 anyone knows of specific cases, please contact city  
9 government so that we can enforce aggressively  
10 against that kind of abhorrent behavior. Thank you.

11 CHAIRPERSON MENCHACA: Thank you.

12 ALBERT CAHN: Good afternoon. My name is  
13 Albert Cahn. I'm the Legal Director of the Council  
14 on American Islamic Relations of New York. I'm very  
15 grateful to Chairs Levine, Levin and Menchaca for  
16 once again standing with immigrant communities in the  
17 face of this repugnant attack from Washington. And I  
18 want to draw your attention to the unique impact that  
19 this proposal would have on Muslim New Yorkers who  
20 have faced a systematic attack from D.C., who have  
21 faced the specter of Donald Trump's campaign pledge  
22 of a Muslim registry who have seen attempts to work  
23 with law enforcement, to work with ICE to gather  
24 information on these communities. And so the  
25 threatened in privacy implications of Public Charge

2 have a unique impact on this community. And while,  
3 yes, the city did pass Intros. 1557 and 1588 last  
4 term, I would remind the Council that there were  
5 carve-outs in those bills applicable to investigative  
6 purposes that do remain vulnerabilities for  
7 marginalized communities. And we once again would  
8 raise the importance of closing those loopholes and  
9 making sure that every area of city government is  
10 held to the same standard of privacy protection.  
11 We've seen what the Trump Administration has been  
12 able to accomplish in Consular visa denials using  
13 Public Charge. They have tripled the number of  
14 denials in the last Fiscal Year, tripled. And so we  
15 are terrified at what might happen if this rule were  
16 to go through, but I want to reiterate what has been  
17 said so many times before, that this is a threat. It  
18 is a real threat. It is an imminent threat, but it's  
19 not something that's gone into effect yet, and like  
20 so many other groups up here, we have seen  
21 individuals proactively dis-enrolling from programs,  
22 and we urge anyone who is impacted to remain on  
23 programs and to not stop using any of the vital  
24 services that are impacted by this rule while it is  
25 being finalized, and while it is being fought. I

2 also want to highlight that individuals can  
3 potentially submit more than one comment if they do  
4 it through affiliation with more than one  
5 organizations. Ms. Cowen and I, for example, have  
6 authored and comment through our participation in  
7 Coro's [sic] ICLP Leadership Program in addition to  
8 comments through our respective organizations. And  
9 so individuals can potentially have more than just  
10 one comment if they're speaking to different elements  
11 of this rule change. And I really urge everyone here  
12 to reach out to as many people as they can to have as  
13 many comments as possible, because one comment is an  
14 important symbol, and a thousand comments is a real  
15 break-through, but a million comments is the sort of  
16 mass movement we need to stop this horrific policy  
17 change. I am so hopeful the Council will help us  
18 reach that goal.

19 ERNIE COLLETTEE: At this point I should  
20 say good evening. Good evening. My name is Ernie  
21 Collette, and I'm here in my capacity as a member of  
22 the Immigration and Nationality Law Committee of the  
23 New York City Bar Association. So, I just want to  
24 briefly emphasize what was already been said in that  
25 the City Bar supports the proposed Council Resolution

2 608 and 609, and we obviously urge the Federal  
3 Government not to move forward with this adoption of  
4 this Public Charge Rule. Unfortunately, as Council  
5 Member Menchaca pointed out, we are at a point where  
6 this rule is being published. It may be finalized.  
7 The whole point of the public comment period is to  
8 bring attention to the Federal Government, how many  
9 people are against this proposed change, but if they  
10 do implement it, we do need to be prepared. In one  
11 of the things that I do want to point out is that the  
12 New York City Bar Association is prepared. We work  
13 with several-- many, many different organizations and  
14 many different subcommittees to prepare our members  
15 to have the adequate information and tools and  
16 resources necessary to be able to provide information  
17 to their clients, because while I work at a nonprofit  
18 organization called Mobilization for Justice, and I  
19 do work in benefits and in Immigration Law, a lot of  
20 private attorneys do need to focus primarily on other  
21 issues, and don't necessarily know much about Public  
22 Charge. So, it'll be our responsibility as an  
23 organization and as a committee to ensure that  
24 lawyers in the private and the public sector are  
25 prepared for this, and we encourage the City Council

2 to support us in these measures as well. I also--  
3 the reason why I say that to you is because the  
4 Public Charge regulation in the way that it's written  
5 is purposely confusing. It creates sort of these  
6 bright-line rules where if you're under 125 percent  
7 of the federal poverty level you'll have a negative  
8 weighted factor for Public Charge. If subsequently  
9 you're over 250 percent of the federal poverty level  
10 which is about 63,000 dollars a year in income and  
11 resources for a family of four, you would have a  
12 positive factor, but that doesn't necessarily  
13 mitigate the fact that if you've received public  
14 benefits going forward in the future once the rule is  
15 finalized that that will be impacted. You also  
16 divide the benefits between monetizable [sic] and  
17 non-monetizable benefits, and depending upon how much  
18 you've received in a given course of a year or the  
19 amount, those public benefits could be charged  
20 against you. This information needs to be  
21 simplified. It needs to be provided to the community  
22 not only to the individual constituent and also our  
23 clients, but it also needs to be provided to the  
24 attorneys that will be serving these clients. And so  
25 it's very important for all of us to take that into

2 consideration. And with my limited time left, I'm  
3 taking off my City Bar hat and putting on my attorney  
4 hat. One of the things that was mentioned also was  
5 the I944 that my colleague Hasan mentioned. It's  
6 over-expansive comparative to the Public Charge Rule.  
7 They will ask for information about any prior fee  
8 waivers that you've received or credit reports as  
9 well, and that information can be confusing or  
10 impossible to get for members of our communities. As  
11 well, one of the other issues at the City-- sorry,  
12 that the City Council mentioned that we talked about  
13 was maybe sponsoring individuals, and while it's not  
14 codified in the INA, there is a section in the Public  
15 Charge regulation about a 10,000 dollar bond. That's  
16 something that may be discussed and discovered to  
17 talk about in the future within other organizations.  
18 Thank you for your time. Sorry for going over.

19 CHAIRPERSON MENCHACA: One quick question  
20 on what you just presented. On the-- you mentioned  
21 the initiative to train, talk to, communicate with  
22 lawyers, your lawyers in public and private. Talk to  
23 us a little-- talk to us a little bit about what that  
24 looks like and in terms of funding needs you might be  
25 requesting, or is that just part of your work

2 already? Have you committed-- have you communicated  
3 anything yet in a blast to folks, and--

4 ERNIE COLLETTE: [interposing] We--

5 CHAIRPERSON MENCHACA: give us a little  
6 texture about what you've done.

7 ERNIE COLLETTE: Sure. We haven't, but  
8 in the past what we've done with several  
9 subcommittees, including the Social Welfare  
10 Committee, and the Immigration Nationality Committee,  
11 which I'm a part of, we create trainings and events  
12 at City Bar Association. Those are passed through  
13 the City Bar Association to ensure if there's sealy  
14 [sic] events to ensure that the information is  
15 adequate and cored to properly and adequately train  
16 individuals upon common topics. That information  
17 about funding or promotion would be better suited to  
18 the individuals that are listed as the contact for  
19 people on the City Bar Association's-- on the  
20 recommendation that we just proposed. But in  
21 general, it would be a fantastic opportunity for us  
22 at the minimum for advertisement to be able to allow  
23 attorneys and other individuals to know that this  
24 exists.

2 EMMA CATHEL: Hello, good evening. My  
3 name is Emma Cathel [sp?] and I'm here with my  
4 colleagues Marla Agustine Mendez [sp?] and Astrid  
5 Casasola [sp?], and we are Master Social Work  
6 students at Columbia University and active members  
7 and interns of the Immigration and Global Social Work  
8 Committee of the National Association of Social  
9 Workers, New York City Chapter, and today we are  
10 testifying on their behalf. The New York City  
11 Chapter of the NASW represents over 6,000 members  
12 throughout the five boroughs. The NASW is the largest  
13 association of social workers in the world with over  
14 120,000 members across the nation. We are leaders in  
15 advocating for just social policies, and we thank the  
16 New York City Council for the opportunity to testify.  
17 Today we're going to give a brief economic analysis  
18 behind this policy. It is a common notion in the  
19 United States that immigrants suck up the public  
20 benefits of the country while not contributing to the  
21 economy. However, several reports and news coverage  
22 have discovered quite the opposite. For example, it  
23 was found that in 2013, about 3.7 percent of  
24 immigrants in the nation received cash benefits  
25 compared to 3.4 percent of the US-born population.

2 The proposal seeks to increase the income  
3 requirements as mentioned just a second ago for  
4 potential immigrants. This would mean that they  
5 would have to earn between 30,000 for an individual  
6 and about 63,000 for a family of four. As a  
7 comparison, virtually 29 percent of US citizens would  
8 fail this test. The DHS seeks to aid a burden on tax  
9 payers as the proposal states. However, immigrants  
10 are an asset to this nation's economy. In fact, it  
11 could be argued that with fewer immigrants in the  
12 United States, the country's economy would suffer.  
13 Second generation immigrants are among the strongest  
14 economic and fiscal contributors in the US population  
15 and they have contributed more in taxes than the rest  
16 of the native-born population in 2017. Furthermore,  
17 it has been demonstrated that employment rates are  
18 high even among immigrants who partake in public  
19 benefit programs. For example, of benefit receiving  
20 families, 63 percent of non-citizens and 66 percent  
21 of naturalized citizens are employed, while only 51  
22 percent of native-born benefit receiving families are  
23 employed. Restraining the amount of immigrants  
24 admitted to the United States could also leave the  
25 nation at a vulnerable position during the current US

2 employment boom. Forbes analyst Josh Bersen [sp?]  
3 examines a new problem taking place in the nation  
4 which is a labor shortage as well as an all-time low  
5 fertility rate. Therefore, employees are needed and  
6 immigrants can make a difference. So, in conclusion,  
7 the National Association of Social Workers NYC  
8 Chapter concurs with a large and diverse coalition of  
9 immigration advocates, health organizations,  
10 physician groups, hospitals, and patient advocates  
11 who strongly denounce this heartless and punitive  
12 proposal. Instead of implementing the proposed Public  
13 Charge policy change, we contend it is best for  
14 children and families as well as for the public  
15 health and well-being and to the nation's economy to  
16 retain the current criteria as established by the  
17 1999 ruling. We implore everyone here today to make  
18 a public comment condemning this proposal before  
19 December 10<sup>th</sup>, and we are also urging the social work  
20 community in New York City as well as nationally to  
21 make a public comment. As a nation that prides  
22 itself on life, liberty and the pursuit of happiness,  
23 and that has a heart and conscious, we cannot allow  
24 this Public Charge to happen. Thank you.

2 JOSEPH LAVELLE WILSON: Chairs, Council

3 Members, good evening and thank you for the  
4 opportunity to address you. My name is Joseph  
5 Lavelle Wilson. I am a Staff Attorney with the New  
6 York Legal Assistance Group, known as NYLAG. I'm  
7 here today with my colleague-- she just stepped out--  
8 Abbie Biberman. She's a Supervising Attorney in  
9 NYLAG's Public Benefits Unit. NYLAG uses the power of  
10 the law to help New Yorkers in need combat social and  
11 economic injustice by addressing emerging and urgent  
12 legal needs with comprehensive free civil legal  
13 services impact litigation, policy advocacy, and  
14 community education. You've already heard  
15 extensively how the proposed rule will expand the  
16 range of benefits that can be used to deny an  
17 application for a green card or a visa, so I'm going  
18 to focus my testimony today on the impacts that we're  
19 seeing and what the city can do to help. So, at  
20 NYLAG, since the rule's been introduced or announced,  
21 it's obviously not in effect yet, we've seen already  
22 again and again clients misunderstanding the rule,  
23 needlessly terminating benefits or not applying for  
24 benefits to which they're entitled, even when they  
25 don't fall under the proposed rule and would not when

2 it's implemented. One example of that is we've heard  
3 from staff that we work with at Health + Hospitals  
4 that women on temporary visitor visas are concerned  
5 about accessing prenatal Medicaid and WIC for their  
6 children born in the US, because at some point they  
7 intend to return to their home countries, and they  
8 want the ability to revisit the US in the future.  
9 Others are concerned because they want to apply for  
10 citizenship in the future, and they fear that  
11 accessing benefits now will hinder them. One of the  
12 worst outcomes of the chilling effect has been  
13 clients forgoing necessary cancer treatments due to  
14 fear of being seen as a Public Charge or being  
15 deported. One story of that is Dana who is an  
16 undocumented immigrant from Georgia. She's been in  
17 the US for nearly 20 years, has two children with  
18 DACA status and several US Citizen grandchildren.  
19 Several months ago she was diagnosed with multiple  
20 myeloma and began chemotherapy funded through New  
21 York State Emergency Medicaid. Dana was referred to  
22 NYLAG to see if she had an immigration remedy that  
23 would make her eligible for New York State-funded  
24 Medicaid, and that would cover the necessary stem  
25 cell transplant that represented the best option for

2 her cancer treatment. After she was referred, Dana  
3 missed several appointments, both with NYLAG and her  
4 medical team, fearing that she would be deported due  
5 to the medical treatment she was receiving. When she  
6 finally met with a NYLAG attorney she revealed that  
7 she was trying to not take too much chemo in order to  
8 avoid the radar of immigration officials. She was  
9 terrified of pursuing any options that would make her  
10 Medicaid-eligible or force her to reveal her address,  
11 fearing that it would get her family in trouble.

12 Although she agreed to resume her chemotherapy after  
13 meeting with the attorney, the doctor recently  
14 informed the attorney that she stopped showing up to  
15 appointments, which will likely speed up resistance  
16 to the drug. We fear that cases like this are going  
17 to become much more common, and as a matter of time,  
18 I'll refer to my written testimony on the  
19 recommendations that we're proposing to the City.

20 Thank you.

21 CHAIRPERSON MENCHACA: Well, I just want  
22 to ask you to outline them really quick, the  
23 recommendations.

24 JOSEPH LAVELLE WILSON: Okay. We think  
25 that city agencies should be looking to legal service

2 providers that they already contract with on many  
3 projects to provide information and training on how  
4 the Public Charge Rule is going to affect immigrant  
5 New Yorkers. That will ensure New Yorkers are  
6 getting accurate information about whether they'll be  
7 affected and how. We're also recommending that the  
8 City launch a media campaign about the rule similar  
9 to campaigns that the City's already done on subway  
10 ads, Link NYC, that kind of thing. And then we're  
11 also asking the City to work with the State to look  
12 into how to clarify the tangled benefits, as they  
13 were put by Chair Levine, and to clarify what funding  
14 funds which benefits so that immigrants can  
15 understand whether or not they're going to be  
16 affected. And finally, we recommend that the City  
17 Council work with the state to look into potential  
18 stop-gap, non-means tested benefits, which won't be  
19 subject to the Public Charge Rule.

20 CHAIRPERSON MENCHACA: Thank you.

21 SANDHYA PRADHAN: Namaste and good  
22 evening. My name is Sandhya Pradhan. I'm a health  
23 navigator at Adhikaar. We are the only women [sic]  
24 led worker at community center serving and organizing  
25 the Nepali-speaking community in New York City.

2 Today I am speaking on behalf of almost 60,000 Nepali  
3 speakers in the greater New York City area. We are  
4 new immigrants and low-wage workers working as  
5 domestic workers, nail salon workers, restaurant  
6 workers, and gas station workers. [inaudible] Public  
7 Charge Rule probably would negatively impact our  
8 community. As many of our member are beneficiaries  
9 of Medicaid or no-cost health insurance and SNAP. If  
10 this rule change were to be passed, our members would  
11 be put in the situation where they must choose  
12 between Public Charge, public benefit to help them  
13 survive and support their families or be eligible for  
14 permanent residency and stay in the country. This is  
15 not the decision that any immigrant should have to  
16 make. We know that if they are forced to make this  
17 decision given this political climate with attacks  
18 against immigrants, our members will become more at  
19 risk if they are uninsured or unable to receive food  
20 stamps to sustain their families. The Trump  
21 Administration wants to say that immigrants should  
22 not be dependent on public benefits if they are to be  
23 eligible to stay in the United States, but we know  
24 that even if an immigrant decided not to take public  
25 benefits and pay for health insurance out of their

2 own, it is still not affordable, pushing the family  
3 further into poverty making them more in need of  
4 public benefits. It is a cycle that merely expanding  
5 the definition of Public Charge will not solve by  
6 itself. Many Nepali-speaking immigrants come to the  
7 US in hopes of a better life and a better future of  
8 their families. The transition for new immigrants is  
9 very difficult and organizations like Adhikaar try  
10 our best to help new immigrants once they arrive.  
11 However, public benefits serve an important purpose  
12 to help new immigrants. I see so many new immigrants  
13 come through the doors at Adhikaar every day who are  
14 overwhelmed by the challenges of everything from  
15 finding a job, enrolling their children in school,  
16 learning English, understanding the law here, and  
17 more. To restrict what types of immigrants are  
18 eligible to apply for green card also spreads a  
19 message that there is good type of immigrant and a  
20 bad type of immigrant, which is a false idea and  
21 discriminatory. Low-wage working-class immigrants  
22 are important parts of-- sorry-- parts of our society  
23 and economy. These workers are part of the individual  
24 workforce are the people who make it so you can go to  
25 work and enjoy your life without consent [sic].

2 CHAIRPERSON MENCHACA: Do you have any  
3 recommendations that you can point to in the  
4 testimony that we can hear today?

5 SANDHYA PRADHAN: [inaudible] no, I don't  
6 have the answer, but do again [sic].

7 CHAIRPERSON MENCHACA: Okay.

8 SANDHYA PRADHAN: We must support our  
9 working-class immigrant communities because they are  
10 backbone of the city and the country. I [inaudible]  
11 hear our testimonies today and let the United States  
12 Government know that New York City will not stand for  
13 the Public Charge proposal. Thank you for allowing  
14 me to speak today.

15 CHAIRPERSON MENCHACA: thank you and we  
16 look forward to working with you and the organization  
17 on specifically the population that you spoke to, but  
18 also recommendations that might be coming to support  
19 the organization itself. Very unique opportunity that  
20 we have as was mentioned earlier, that you all have  
21 connections to communities with trust, and that was a  
22 question that I asked earlier about how do we change  
23 the nature of the confusion, and you are all at the  
24 front lines of community engagement at a cultural  
25 ability for trust, and that's not always going to

2 come out with government. We're, as a whole,  
3 government is failing its people right now. Okay,  
4 thank you so much to this panel. Next panel we have  
5 I think two panels, maybe one. We'll see if everyone  
6 is here. Asian-American Federation, Persephone, come  
7 on up please, and Asian-American Advocate CPA, Mai  
8 Lee, Silvia Sictor [sp?], Asian-American Advocate  
9 India Home, Carrie Cecil [sp?], the Arab-American  
10 Family Support, Asian-American Advocate, Grace Kim,  
11 Tasbia Ramen [sp?], Asian-American Advocate, the  
12 Coalition for Asian-American Children and Families,  
13 and then Heroko Hatkana [sic], no, Hatanaka [sp?],  
14 Japanese-American Social Services, Inc. And is--  
15 great, we have a full panel, and Persephone, would  
16 you like to go first, please?

17 PERSEPHONE TAN: Hello. Thank you, Chair  
18 Menchaca, Chair Levin and chair Levine and the  
19 Committees on Immigration, General Welfare, and  
20 Health for convening this hearing today, and thank  
21 you to the city agencies--I don't know if staff are  
22 still here. I assume they are-- for being here today  
23 as well. I am Persephone Tan, the Associate Director  
24 of Immigration and Policy at the Asian American  
25 Federation. We represent a network of over 60 member

2 agencies and partner agent-- member organizations and  
3 partner agencies that are Asian-led and Asian-  
4 serving. Of this panel, I think pretty much everyone  
5 here is a member or a partner agency. Overall,  
6 Asians make up 15 percent and growing of the City's  
7 population. Among this group, 70 percent of Asian  
8 New Yorkers are immigrants. So, immigration is a  
9 very important topic to our community. The proposed  
10 Public Charge Rule as released by Trump  
11 Administration presents an unnecessary burden and  
12 fear among immigrant communities. I would like to  
13 share some statistics on Asian immigrant New Yorkers  
14 for Men [sic] health and the Migration Policy  
15 Institute. Estimates of those impacted by this  
16 proposed Public Charge Rule in the Asian community  
17 are well over a quarter-million non-citizen and  
18 family members living in New York State. These are  
19 people who have either had-- who either had income  
20 below 125 percent of the federal poverty level or  
21 received one of the benefits in the proposed rule.  
22 The Migration Policy Institute estimates that more  
23 than half of the recent Asian immigrants of New York  
24 State have incomes below the 250 percent of the  
25 federal poverty level which is the proposed income

2 cut-off for application of the Public Charge test.

3 This means that more than half of new Asian

4 immigrants coming to the US would face increased

5 burden to pass a Public Charge test. Our

6 recommendations to the City and to the corresponding

7 agencies responsible for the welfare of immigrant New

8 Yorkers include comprehensive public outreach and

9 education. The City should remind constituents that

10 the rule is not final, not retroactive, and the

11 Public Charge test will be looking at the totality of

12 circumstances. We need to make sure that there's

13 clear messaging now and clear messaging when the rule

14 is actually finalized, encourage people to apply for

15 benefits and not to discontinue enrollment, emphasize

16 it is a very narrow scope of immigrants impacted,

17 only those who are applying for green cards. Hence,

18 there should be free legal services available in

19 language about evaluating an individuals' Public

20 Charge status to see if they are at risk for being

21 covered by the Public Charge test and how to mitigate

22 it. There should also be a clear process on where

23 people can get help and identify if they are at risk

24 of being a Public Charge. For example, having clear

25 messaging on whether or not people should go to

2 Action NYC or the New Americans Hotline or knowing  
3 when to reach out to HRA about public benefits. I do  
4 want to note one thing about addressing the fee  
5 waiver of immigration benefit criteria. It's in my  
6 testimony. I hope the Council and the Committees  
7 will take a look at it as well. And finally, the  
8 city should strengthen partnerships with community  
9 nonprofits and other organizing groups. We have been  
10 on the forefront of convening rapid responses to the  
11 ongoing attacks on immigrants, and this includes  
12 providing groups like ours and everyone on this panel  
13 and everyone who has already testified, resources and  
14 funding to build capacity so that we can continue  
15 outreach to the community. Thank you so much.

16 CHAIRPERSON MENCHACA: Thank you. and  
17 what I will ask and what we are going to continue to  
18 ask for are budget recommendations, and as a  
19 coalition and really understanding the need itself,  
20 so we cannot just understand the coalition request,  
21 but the intricate nature of the legal side, the  
22 education side, etcetera, that-- which I think you  
23 presented, but some dollar amounts so we can be  
24 ready. Thank you.

2 MAE LEE: Hi, good evening. So thank you  
3 for having this hearing today. My name is Mae Lee. I  
4 am the Executive Director of the Chinese Progressive  
5 Association. We serve those who live, work or go to  
6 school in Chinatown or the lower east side. So, we  
7 assist immigrants with programs like English classes,  
8 citizenship classes. We have come immigration  
9 application assistance. We do help new citizens to  
10 register to vote, but I wanted to share a story and  
11 make some recommendations. So, I said we had these  
12 citizenship classes, and in our class we have  
13 students who are green card holders, but never the--  
14 even though they're enrolled in the class, they told  
15 us they didn't plan to apply just yet for  
16 citizenship. They're on Medicaid, so the plan is  
17 that they're going to wait for the Medicaid to  
18 expire. They won't go to recertify, and after  
19 they're off the Medicaid they'll get-- this is health  
20 insurance. They're going to apply for their  
21 citizenship. So we manage to convince them. We're  
22 armed with a lot of the correct information. We  
23 managed to convince them, no, that's not what you  
24 need to do. You should apply for citizenship now if  
25 you're otherwise eligible. So, they will be, and

2 also our teachers will be making these lesson plans  
3 for the students to teach them how to submit the  
4 comments, and they might do it in the class on their  
5 little ipads or phones. So, then, so the other thing  
6 is we've heard about how, you know, HRA, their  
7 frontline staff is trained to talk to the clients and  
8 MOIA and Action NYC is doing a lot of outreach, but  
9 we think that's not enough. You know, we think-- I  
10 think it would be better if HRA was much more  
11 proactive and sent a letter out to the client right  
12 away instead of waiting for them to come. The  
13 students I talked about haven't been HRA and they  
14 haven't called Action NYC. So, I think the  
15 dependence on those-- what they're depending on is  
16 not sustainable considering the scope of the-- the  
17 breadth, you know, of the confusion, and it will get  
18 worse if-- I mean, I hope this doesn't happen, and I  
19 don't want to-- we don't want to tell people, "Well,  
20 it's going to happen anyway, so you should deal with  
21 it now." You know? Now the message is to fight.  
22 But if it does happen, the confusion will be even  
23 more widespread. The thing that I mentioned about  
24 Medicaid, Medicaid, you know, is very complicated.  
25 There's federal Medicaid and there's state Medicaid

2 and it's not all the same. So it may apply to Public  
3 Charge, it may not. I don't know how it's going to  
4 play out. So there's going to be a lot of resources  
5 that need to go directly to community groups so that  
6 they can be not just be armed with the information,  
7 but actually have the manpower and the funding to  
8 deal with the people that I'm talking about right  
9 now. Thank you.

10 CHAIRPERSON MENCHACA: Thank you.

11 SELVIA SIKDER: Thank you very much for  
12 convening this hearing today and giving us the  
13 opportunity to testify. I'm Selvia Sikder. I work  
14 in India Home, and India Home is a nonprofit  
15 organization. We work for the South Asian older  
16 adults. We serve more than 200 adults across Queens  
17 through our senior center programs, case management,  
18 community mental health programs through occasional  
19 activities and advocacy. A hundred percent of our  
20 seniors India Home serves are foreign-born. As you  
21 know, on October 10<sup>th</sup>, 2018, the Trump Administration  
22 formally announced proposed regulation that would  
23 dramatically broaden the Public Charge test that has  
24 been a part of Federal Immigration Law for decades.  
25 The South Asian older adults we work with are

2 vulnerable new immigration themselves who live in  
3 poverty, depend on adult children, speak little  
4 English, have low to no income, and are socially  
5 isolated. Public benefit programs support these  
6 older adults' basic needs in terms of access to  
7 healthcare, food, and other essentials. We foresee  
8 it having a huge impact on our vulnerable South Asian  
9 older adult community. It's important for the  
10 wellness of our seniors to have the nutritious foods  
11 and ingredients from the cultural diets that they are  
12 accustomed to. The SNAP makes this possible for  
13 close to 50 percent of our seniors and many of the  
14 South Asian older adults in the larger community.  
15 Access to affordable healthcare is especially  
16 important for our seniors. Almost 80 percent of our  
17 low to no income seniors depend on Medicaid to bet  
18 basic healthcares. The program has been a lifeline  
19 for them, providing coverage for hospital care,  
20 doctor's visits, and prescription drugs. With the  
21 proposed changes to Public Charge including these  
22 programs, our seniors would certainly be impacted.  
23 I'd like to share the fear of our community members.  
24 The proposed Public Charge Rule has already created  
25 fear in our community and made our seniors afraid to

2 seek programs that would help support their basic  
3 needs. The proposed rule would have further negative  
4 impact by leading to dis-enrolment from certain  
5 public benefits program among our members and  
6 clients. Out of fear it would affect not only  
7 themselves, but also their families. Recently,  
8 naturalized citizens are afraid to apply for public  
9 benefits in fear of it affecting their citizenship  
10 status. Based on our observations, the Public Charge  
11 Rule may cause our members to forgo enrollment and/or  
12 dis-enroll themselves from public benefits program  
13 because they do not understand the rules, details and  
14 would fear their enrollment could negatively affect  
15 their or their families members' immigration status.  
16 For example, one of the seniors we work with recently  
17 applied for citizenship and he is eligible for SSDI  
18 due to his physical conditions. However, he's  
19 reluctant to apply for SSDI as he's afraid it might  
20 affect his citizenship application. Moving forward,  
21 we recommend the City Council take the following  
22 steps: Clearly inform the South Asian community on  
23 Public Charge through adequate language access  
24 service and legal help available in the South Asian  
25 languages, and work with and provide special funding

2 to grassroots organizations like ours to [inaudible]  
3 knowledge on Public Charge to South Asian seniors.  
4 Thank you very much for the opportunity.

5 KERRY SESIL: Thank you to the New York  
6 City Council for providing us this opportunity. My  
7 name is Kerry Sesil. I'm the Director of Development  
8 and Communications at the Arab American Family  
9 Support Center. For nearly 25 years we've been  
10 working with the Arab Middle Eastern Muslim and South  
11 Asian communities throughout New York City to promote  
12 wellbeing, prevent violence, get families ready to  
13 succeed and to communicate the needs of the  
14 marginalized populations. We have witnessed our  
15 community members have increased fear. We've  
16 witnessed community members choosing not to enroll in  
17 important benefits, not to enroll in SNAP, not to  
18 enroll in health insurance, and to drop out of other  
19 important programs that are not listed in Public  
20 Charge, because of fear and misunderstanding of what  
21 this can cause. What we haven't heard a lot of today  
22 is around the implications for mental health, which  
23 is something that I would like to point out. This  
24 community of Arab Middle Eastern Muslim and South  
25 Asian community members is already being unfairly

2 targeted, particularly around the travel ban and  
3 other xenophobic policies. This just amplifies those  
4 feelings of stress and depression and anxiety that we  
5 are seeing in our community. So, this goes beyond  
6 implications around physical health and extends to  
7 mental health. Our recommendations are to continue  
8 to say no to the proposed changes, to commit to  
9 supporting immigrants and refugees with additional  
10 resources. In instances when they do avoid those  
11 benefits, particularly for SNAP and food benefits, we  
12 are as an organizations looking for other ways that  
13 we can connect people to food. That is an immediate  
14 need. And then finally, to consider increasing  
15 access to linguistically competent-- linguistically  
16 and culturally competent health services. We at the  
17 Arab-American Family Support Center are providing  
18 these right now because we recognize that need, but  
19 we need the City Council support there as well.  
20 Thank you.

21 EUNHYE GRACE KIM: Hi. Good evening. I  
22 appreciate the opportunity to share with you how the  
23 proposed Public Charge Rule impact the lives of our  
24 community members. My name is Eunhye Grace Kim, and  
25 I'm the Assistant Director at Korean Community

2 Services of Metropolitan New York. We are a  
3 community-based organization based in Queens and we  
4 have six different sites, and we are serving daily  
5 1,100 individuals through six sites. I would like to  
6 share a story, because many people share wonderful  
7 strategies and everything, so I'd like to share a  
8 story. An insured female patient in her 60s is in  
9 the process of getting a green card, and we provide a  
10 free mammogram and free Hepatitis B screening and  
11 treatment. So, she used to get our services for her  
12 Hepatitis B condition, yet, she suddenly refused to  
13 take the medication and we could not reach her  
14 anymore after she heard about Public Charge. Despite  
15 lengthy explanation of how it will not affect her,  
16 and she chose not to get screened for her fear of  
17 getting her green card denied. Our community members  
18 now have to choose between health and immigration  
19 status. Sadly, they often choose immigration status  
20 over health. Also, many ethnic media reports publish  
21 misleading and incorrect information, and Korean  
22 American in New York has the highest uninsured rate  
23 among Asian-Americans, but due to the fear generated  
24 by this proposed rule, I expect this rate to increase  
25 higher. It is crucial to provide our community

2 member with an accurate information about the  
3 proposed Public Charge rule and educate them. Due to  
4 the highest limit English-proficiency rate in our  
5 community compared to other immigrant community, the  
6 culturally competent material should be provided, and  
7 moreover, working closely with the community-based  
8 organization would be the key to reducing fear among  
9 the New York City most vulnerable population.

10 Therefore, working with community-based organization  
11 with the City Council support will be crucial to  
12 reach hard to reach population and educate and assist  
13 our community members. So, I think one more story.

14 I just got a phone call from my colleague who is  
15 helping client right now as navigator, health  
16 insurance, and she just called me and she's asking me  
17 two seniors came and they asked-- they don't want to  
18 get Medicaid and if there is other choice after me.

19 And I've a navigator as well. I've been working ever  
20 since 2013, and I said, what are-- I asked them what  
21 are their immigration status, and they were U.S.

22 citizen. And I ask her why they're hesitating to  
23 apply for Medicaid, and she said because they're just  
24 afraid of the Public Charge. And this is kind of  
25 example of this misinformed because as a U.S. citizen

2 they don't need to worry about any Medicaid or any  
3 application, but they do, and they are refusing.  
4 Only option they have is just buying private health  
5 insurance, and I just got phone call from them. And  
6 I constantly try to educate our community and try to  
7 workshop, and however, our community-- there's  
8 communication from the attorneys and the ethnic media  
9 is so powerful, it's really hard for us to educate  
10 them without proper support from the City. Thank  
11 you.

12 TASFIA RAHMAN: Good evening, I guess.

13 My name is--

14 CHAIRPERSON MENCHACA: [interposing] Can  
15 you pull the mic closer to you?

16 TASFIA RAHMAN: My name is Tasfia Rahman  
17 and I'm the policy coordinator for the Coalition for  
18 Asian-American Children and Families. I'm going to  
19 try to avoid repeating the information. We lead 50  
20 Asian-led and Asian-serving community and social  
21 service organizations, and we've been flooded iwht  
22 anecdotal stories about dis-enrollment.

23 Particularly, what I'd like to focus on is on health  
24 disparities. In the US we already have a major  
25 health disparity issue, particularly among

2 marginalized communities. In New York City, for  
3 example, at CACF we are seeing this in our efforts to  
4 ensure more access to affordable healthcare. We're a  
5 lead agency in New York State that receives in person  
6 assistor, IP, or navigator grant for the New York  
7 State of Health, the official health insurance  
8 marketplace. It's currently open enrollment, and our  
9 IPAs navigators provide one-on-one assistance to  
10 individuals, families, small businesses and their  
11 employees who apply for health insurance to  
12 marketplace. We provide our-- our navigator partner  
13 organizations provide culturally and linguistically  
14 tailored outreach and education about the Affordable  
15 Care Act as well as enrollment assistance for private  
16 and public health insurance. This year, during the  
17 current open enrollment period, our patient  
18 navigators have witnessed a significant decline in  
19 new enrollment since last year and in previous years.  
20 I wouldn't be as optimistic to say that we solved our  
21 lack of inaccessibility to health insurance in a  
22 year, but what we're really getting is a sense that  
23 people are afraid if they signed up for affordable  
24 health insurance they may endanger their ability to  
25 remain in this country. So with this in mind we ask

2 New York City Council and other public officials to  
3 act on two things. We appreciate the efforts they  
4 have taken to encourage constituents to submit their  
5 public comments, but we also encourage all City  
6 Council members to submit their own comment, and when  
7 they do, that they illustrate the impact this is  
8 having on all immigrant communities, including the  
9 APA [sic]. And also to educate through our  
10 constituency [sic], encourage community  
11 participation. This rather vague and complicated  
12 nature of the proposed Public Charge Rule is  
13 instilling a pervasive fear that it's preventing  
14 individuals and families eligible. Council Members  
15 should continue to support community organizations,  
16 leveraging existing initiatives that have served to  
17 access-- serve to educate out of reach marginalized  
18 communities and provide CBOs with resources and  
19 outreach to their constituents about the correct  
20 information on the proposed rule. So, thank you so  
21 much for hearing our testimony, and I look forward to  
22 working with you.

23 CHAIRPERSON MENCHACA: Thank you.

24 HIROKO HATANAKA: Good evening. Thank  
25 you so much for giving me opportunity to speak here

2 today. My name is Hiroko Hatanaka. I'm a Board  
3 Member of the Board of Japanese American Social  
4 Services Inc. I am speaking on behalf of our  
5 Director today because she's not available. JASSI is  
6 the only social services agency serving the Japanese  
7 community in New York City, and we have served 37  
8 years providing various social services. The  
9 proposed policy will undermine access to essential  
10 health, nutrition, and shelter for the eligible  
11 immigrant and their family members. In fact, a  
12 client and community members we serve have already  
13 withdrawn from benefits they are entitled to receive  
14 for fear of receiving them will affect their  
15 immigration status or lead to a deportation. One  
16 example that I would like to give is that one of our  
17 client who signed up essential healthcare recently  
18 came to us and said she would like to withdraw the  
19 essential plan because her attorney said that will  
20 have impact on her immigration status. So, many of  
21 our clients are either on some kind of temporary visa  
22 or undocumented. The fear created by these rules  
23 will cause lasting harm to entire communities. What  
24 we would like to recommend is that from our point of  
25 view, you can help us by delivering a clear message

2 to the community as many languages as possible.

3 Please note that there are so many immigrants who

4 limit-- whose English is limited. And messages

5 translated into their own language will have a

6 stronger impact and they tend to trust that. You can

7 help us by ensuring that assistance in this issue and

8 not only in New York major languages, but also other

9 language as well for particularly for Immigration

10 Hotline. Thank you so much.

11 CHAIRPERSON MENCHACA: Thank you for your

12 comments and thank you for this entire panel as well.

13 Again, be safe out there. It's a little treacherous.

14 Our next and, I believe, final panel-- so if I do not

15 read your name and you want to testify, please come

16 up to the Sergeant of Arms and fill out an appearance

17 card. CFR? Danny Alicea, Center for Family

18 Representation. Mark Avelinoti [sp?], NMIC, Faith

19 Bihume [sp?], UJA Federation, Asweni Peresone [sp?],

20 FPWA, Anthony Feliciano, Commission on the Public

21 Health,-- no? And is there anyone that has not been

22 called that would like to testify? And Frank, how

23 many people have submitted? We have seven. Can we

24 get 10 more? Let's get to 17 comments before we

25 leave today. Please, don't hesitate to come out to

2 the back. Thank you so much for those who have  
3 submitted comments as well. Okay, let's start.  
4 Would you like to start? Please introduce yourself.

5 DANNY ALICEA: Good afternoon and thank  
6 you for your leadership. My name is Danny Alicea I  
7 supervise the Immigration Practice at the Center for  
8 Family Representation which was founded in 2002 to  
9 reduce reliance on foster care and improve outcomes  
10 for children and their families. I will focus my  
11 comments today on our perspective as providers of  
12 legal and social work services to parents who are  
13 facing child welfare proceedings. It has already  
14 been stated and stressed that the proposed rules are  
15 causing confusion and fear. I will also add that  
16 many government caseworkers are frequently confused  
17 or misinformed about the implications of immigration  
18 reform for individuals and families. Non-citizens'  
19 unwillingness to seek public benefits will inevitably  
20 increase contact between families and the child  
21 welfare system, will prolong involvement, and reduce  
22 the likelihood of positive outcomes. They may lose  
23 the ability to provide their children with basic  
24 necessities which will then trigger allegations of  
25 neglect. Child welfare proceedings also require

2 multiple court appearances, conferences, monitoring  
3 appointments, custodies, conferences, and ACS  
4 meetings which will take-- which will cost the  
5 government significant amount of funds. In order to  
6 ameliorate the problems which brought them to court,  
7 parents are required to demonstrate parental fitness.  
8 To accomplish this parents are generally ordered to  
9 participate in services such as individual and family  
10 therapy, anger management, or drug treatment. Most  
11 of these services would typically be covered by  
12 insurance. Non-citizen parents can be forced to  
13 choose between defying an ACS or court order and at  
14 least in their minds risking their immigration status  
15 to obtain insurance or other benefits. Moreover, the  
16 added burden on ACS and Family Courts will put  
17 strains on these institutions leading to back-ups and  
18 a slower administration of justice to the extent that  
19 a decrease in immigrant public benefit participation  
20 leads to the separation of families. It will also  
21 generate significant cost for the government. In  
22 2010, for example, the average annual cost of placing  
23 a child in New York foster care was 66,060 dollars.  
24 The average-- more than half of children who enter  
25 foster care remain there for longer than a year, and

2 22 percent remain for more than three years. Since  
3 2007, we estimate that we have saved the city and tax  
4 payers over 37 million dollars through our preventive  
5 legal and social work services. Finally, increased  
6 engagement with the child welfare system inevitably  
7 will cause harm to children. Research indicates that  
8 removal from families and placement in foster care  
9 can negatively impact the child's life outcomes. So,  
10 an immigration policy that chills non-citizens'  
11 access to these lifesaving public benefits draws  
12 families into the child welfare system. so the  
13 recommendation that we have would-- that is unique  
14 would be to support and provide funding for service  
15 providers who are doing the individual and family  
16 therapy drug treatment in conjunction with the  
17 Administration for Children Services so that people's  
18 access to the services is-- they can access it  
19 without respect for whether they have insurance or  
20 not. Thank you.

21 CHAIRPERSON MENCHACA: Do you have-- do  
22 we have a copy of your testimony?

23 DANNY ALICEA: You do.

24 CHAIRPERSON MENCHACA: Okay, thank you.  
25

2 FAITH BEHUM: Good evening. My name is  
3 Faith Behum, and I'm an Advocacy and Policy Advisor  
4 at UJA Federation of New York. Established more than  
5 100 years ago, UJA is one of the nation's largest  
6 local philanthropies. We support nearly 100  
7 nonprofit organizations serving those that are most  
8 vulnerable and in need of programs and services. On  
9 behalf of UJA our network of nonprofit partners and  
10 those we serve thank you for the opportunity to  
11 testify on the impact of the proposed Public Charge  
12 Rule on New York City. If the proposal passes to  
13 update the Public Charge requirements, many low-  
14 income immigrants will choose between receiving  
15 benefits that allow them to access healthcare, food  
16 and other necessities, and pursuing permanent  
17 residency in the United States. UJA is particularly  
18 concerned not only for the individuals who received  
19 services through our agencies, but the people who are  
20 employed to provide those services. Some of our  
21 nonprofit partners provide services and supports to  
22 the elderly to live in the community. Many of the  
23 home health aides who are the backbone of supporting  
24 the elderly are immigrants receiving benefits such as  
25 SNAP and Medicaid. These individuals need these

2 benefits to make ends meet. If the Public Charge  
3 proposal is passed, these individuals will be forced  
4 to choose between receiving benefits or jeopardizing  
5 their immigrant statuses. In 2015, UJA, the  
6 Federation of Protestant Welfare agencies, and  
7 Catholic Charities of New York jointly selected a set  
8 of policies and contracted with the Urban Institute  
9 to test their effects on rates of poverty  
10 individually and combined. The study found that  
11 increasing SNAP benefits by 31 percent reduced  
12 poverty to 18.7 percent. Increasing the number of  
13 housing vouchers in order to help half of the current  
14 waiting list reduced poverty to 19.9 percent.  
15 According to these findings, if the Public Charge  
16 Rule is updated and individuals and families are  
17 deterred from enrolling in housing assistance or  
18 SNAP, the poverty rate in New York City will  
19 increase. UJA's fellow social service organizations  
20 including Jewish Federations nationwide are concerned  
21 by this seeming attack on poor immigrants and the  
22 organizations that serve them. The charitable  
23 network would incur costs in responding to the  
24 increased need, even as it struggles to meet existing  
25 need. Across the country food banks, pantries,

2 religious congregations, and other emergency food  
3 providers are already frequently overwhelmed, unable  
4 to consistently serve all the people who require  
5 assistance. We definitely echo as far as  
6 recommendations the need for reliable information to  
7 be given to the communities who are going to be  
8 impacted by this rule. UJA would just like to thank  
9 Speaker Johnson and the City Council for their  
10 leadership on this critical issue. Thank you for  
11 your time.

12 ANTHONY FELICIANO: [speaking Spanish] My  
13 name is Anthony Feliciano. I'm the Executive  
14 Director of the Commission on the Public's Health  
15 System. It's obviously clear to all of us that  
16 redefining Public Charge the way it is is a racist  
17 act. So what do we do about it? Obviously, it is  
18 the public comment period, but I want to emphasize  
19 why it is so important. It is not just because all  
20 our voices, diverse voices, are needed with that, but  
21 it's also to understand that we have to inundate the  
22 Federal Government with those voices. It's clear if  
23 we-- not all that we heard or read if everything  
24 looks the same in terms of our messages. And so  
25 people need to understand that when-- and that's what

2 the importance of inundating. It is also to counter  
3 the narrative, the negative narrative that they've  
4 had on immigration before and after-- before Trump  
5 and now. The other area is to revisit and revive  
6 past efforts like Action Health, to look at those  
7 past proposals and what could we do to think it  
8 through. And this was before this issue of Public  
9 Charge, but Public Charge heightens that awareness to  
10 look at those past efforts. I think also to look at  
11 supported city-funded programs. Similar to what  
12 Citizens Committee, our colleagues, [inaudible]  
13 stated. I think part of it is also to look at some  
14 of the existing programs like Access Health NYC, not  
15 to confuse it with Action Health. Thirty-three  
16 community-based organizations, FQACs [sic] have the  
17 opportunity to increase their capacity on education  
18 and outreach around access to healthcare issues,  
19 their options, not only to coverage, but their  
20 rights. And so Council Members knowing where those  
21 groups are is to tap into them. We work closely with  
22 Immigration Coalition through that initiative. The  
23 other aspects to this for us is utilizing existing  
24 mechanisms for collaboration and information sharing  
25 and the dissemination. There are an obscure group

2 now called Committee on City Healthcare Health  
3 Services. It was done through legislation through  
4 the City Council. Using those mechanisms, those  
5 committees, the Mental Health Advisory Committee, all  
6 these efforts of the City Council and Department of  
7 Health have, and think about Public Charge as a focus  
8 of an effort in terms of the information. And I  
9 think we don't sometimes get the idea by why  
10 important education and training is. If we're going  
11 to do this, all city agencies have to inform before  
12 or after this their strategy, has to be through the  
13 community-based organizations and the community  
14 lowering models that we have in New York City. It  
15 has to be addressed through those ways, not just them  
16 deciding, but thinking it through with the community-  
17 based organizations. It's also about not one-shot  
18 deals of training. It has to be consistent  
19 education. It has to be consistent training and  
20 revisiting those trainings when something happens at  
21 a city worker level or anything where there's a  
22 disconnect with communication when something goes  
23 wrong, and I'll explain. Health + Hospitals and has  
24 been doing a great job around the Public Charge, but  
25 we still see certain certified content navigators

2 giving the wrong information, and we need to address  
3 that with not just a one-shot training but a  
4 consistent training there. The final thing is the  
5 state. I don't see a visible urgency from the state,  
6 from the Governor around this issue. And I serve on  
7 the CMS Advocates Committee. I serve on the  
8 prevention agenda, and I constantly push this effort  
9 and this issue, and it seems like well we're doing  
10 this internally. Internally without discussion with  
11 the City, without discussing with community-based  
12 organizations means nothing, and we're not going to  
13 sustain all the reforms around the conditions now  
14 that keep people sick, because reforms that are  
15 happening around the delivery and the reimbursement  
16 of healthcare it won't sustain. It won't be  
17 successful if our fellow New Yorkers, a large  
18 segment, are iced out, are completely-- won't have  
19 access to healthcare, and those are critical areas to  
20 look at.

21 MARK VALINOTI: Good evening. On behalf  
22 of Northern Manhattan Improvement Corporation, or  
23 NMIC, I thank you for the opportunity to present our  
24 views on changes to Public Charge proposed by DHS.  
25 My name is Mark Valinoti and I'm the Managing

2 Immigration Attorney at NMIC. NMIC is a community-  
3 based nonprofit organization founded in 1979 that has  
4 grown into a leading multiservice agency, a staff of  
5 over 100 serving New York City with the focus on  
6 upper Manhattan and the Bronx. NMIC's Immigration  
7 Unit provides immigration screenings and a wide range  
8 of services to the New York City community. The  
9 proposed changes to the Public Charge contain a  
10 heightened income-based standard that will prevent  
11 our community members from securing lawful permanent  
12 resident status. Aside from penalizing applicants  
13 who have or are likely to receive an expansive list  
14 of benefits, the changes impose onerous income  
15 requirements on new immigrants and their families.  
16 Under the new guidelines, an applicant's current lack  
17 of employment or health insurance will be considered  
18 heavily weighted negative factors against their  
19 application. The positive factors that would be  
20 taken into account include the new immigrants'  
21 ownership of financial assets or require the new  
22 immigrants' household in the US to earn at least 250  
23 percent above federal poverty guidelines. In our  
24 community, many new permanent residents are  
25 petitioned for by low income family members who work

2 hard and save what they can to bring their relatives  
3 to this country. Many new immigrants come to the US  
4 in the hope of finding educational and employment  
5 opportunities that they are unable-- that are  
6 unattainable in their home countries. They study at  
7 our colleges, and often begin work at low-wage  
8 occupations in order to advance in society and work  
9 towards a brighter future. Many new immigrants are  
10 the parents of US citizens seeking to reunite and  
11 spend the rest of their lives supporting their  
12 children and grandchildren. For an example, one of  
13 our elderly clients from Ecuador was petitioned for  
14 by her naturalized US citizen daughter. With  
15 representation from NMIC, she was able to  
16 successfully adjust to permanent resident status and  
17 now lives with her daughter and helps care for her  
18 grandchildren. The daughter works fulltime, but  
19 earns relatively low income and the mother was a  
20 housewife in Ecuador with no financial assets of her  
21 own. Under the new guidelines, she would not be able  
22 to reunite with her daughter and grandchildren. The  
23 extraordinary financial burdens of the changes to  
24 Public Charge send a clear message, that the US, the  
25 DHS only wishes to admit those who have already found

2 wealth or success to the exclusion of those seeking  
3 the opportunity that the American dream promises.

4 Thank you.

5 CHAIRPERSON MENCHACA: Thank you, and  
6 before we end the panel, I'm going to hand it over to  
7 our Co-Chairs for final comments. Chair Levine? Or  
8 any questions that you might have, too.

9 CHAIRPERSON LEVINE: Well, thank you,  
10 Chair Menchaca and thank you to this panel and all of  
11 the experts and activists and community members who  
12 spoke today. I've been keeping a rough tally, and so  
13 far by my approximate estimation, 100 percent of the  
14 people who spoke today are negative about these  
15 proposed changes, and it represents an important  
16 document of the smartest minds in the City making it  
17 clear just the scale of harm that awaits New Yorkers  
18 if these rule changes are made, enacted. We need to  
19 stop at nothing to push back on this. I view this as  
20 no less morally bankrupt than separating kids from  
21 their families at the border, and in that case, it  
22 was public pressure that forced the Trump  
23 Administration to reverse course. We didn't actually  
24 win that fight legislatively, because we didn't  
25 control congress. And we have described the

2 difficult path to overturn this legislatively, but  
3 public opinion has and can again force even Donald  
4 Trump to overturn anti-immigrant policies, and we  
5 need to make sure that there's an uproar of  
6 comparable scale for this proposed change, and I am  
7 more and more confident with the input and the  
8 activism of this panel and everyone else who spoke,  
9 that we will indeed push back. We will win this  
10 fight and protect the precious immigrants of New York  
11 City and beyond. Thank you, Mr. Chair, for your  
12 incredible leadership on this issue and every issue  
13 affecting immigrants in the City. Really a pleasure  
14 to be working with you in this fight.

15 CHAIRPERSON MENCHACA: Thank you, Chair  
16 Levine, and I--

17 CHAIRPERSON LEVINE: [interposing] I'm  
18 sorry, and I didn't see that Chair Levin is here as  
19 well, and you have-- you as well have been absolutely  
20 incredible and having your brain power focus on this  
21 is really invaluable. Great to be working with both  
22 of you.

23 CHAIRPERSON MENCHACA: Thank you, Chair  
24 Levine, and we are a team here, a trifecta,  
25 committees and the staff behind us. Chair Levin?

2 CHAIRPERSON LEVIN: Thank you very much,  
3 Chair Menchaca. First, I want to thank you as Chair  
4 Levine said for your really stellar leadership here  
5 and organizing today's hearing and keeping this  
6 council focused on this from the moment that we heard  
7 that this rule was promulgated, and even before, and  
8 having a real clarity of purpose and moral leadership  
9 is vital, and we appreciate that very much. And to  
10 Chair Levine, thank you. I think it's essential that  
11 we have the full weight of the Health Committee under  
12 your leadership looking out for the health of New  
13 Yorkers and the health of our immigrant brothers and  
14 sisters, not just here but around the country. This  
15 council is taking a great leadership role with you at  
16 the helm of the Health Committee. So, thank you for  
17 that. To all of everybody that came to testify and  
18 to the Administration, I think it's so important that  
19 we keep up the pressure on this, that we keep up the  
20 pressure on our governor to do as much as he can, to  
21 keep up-- to make sure that when she is sworn in in  
22 January, that Letitia James as our Attorney General  
23 is doing everything that she can, a great colleague  
24 of ours for many years. That our Congressional  
25 delegation is going to the mat on this when they are

2 going in under Speaker Pelosi's leadership in  
3 January, that it's front and center, that this issue  
4 not get, you know, not play second act to any other  
5 issue. This is so-- this is a disgusting, disgusting  
6 and sick policy. It is sick. It is-- it represents  
7 a morally craven and morally bankrupt world view that  
8 is residing in the White House with Steven Miller and  
9 Donald Trump, and we-- everybody of good conscience  
10 and everybody of good faith in this country ought to  
11 be outraged, and if they knew what this was, I  
12 believe most people would be outraged. I just looked  
13 up what public polling shows for pre-existing--  
14 protecting pre-existing conditions under the ACA; 75  
15 percent of Americans think it's important to protect  
16 pre-existing condition. I bet you if you asked  
17 Americans should people be denied a green card  
18 because of a pre-existing condition or because of an  
19 education status or an economic status, I bet you  
20 you'd see similar numbers. I doubt anybody's done  
21 that polling because this issue hasn't been risen to  
22 that level. So, I think that our job-- and we had a  
23 thorough hearing today, and it was a technical  
24 hearing, and we learned about this and how it would  
25 affect New Yorkers, and we heard from all of our

2 advocate and provider communities about what it means  
3 for their day-to-day operations and for their  
4 client's day-to-day lives, and we saw that very  
5 clearly, and I think that this had a real impact. It  
6 also had the impact I think of raising the issue just  
7 another notch, because that needs to continue to  
8 happen. We need to get this front and center. This  
9 needs to be talked about on cable news. This needs  
10 to be talked about on, you know, on our-- on whatever  
11 it is, whatever form of public communication. We  
12 need to put that out there front and center, but we  
13 need our partners. We need our partners in the  
14 Federal Government. We need our Governor. We need  
15 our other states in partnership with us. So, that's  
16 all of our collective responsibility to make sure  
17 that it's front and center. So I want to thank you  
18 for your time. You stayed here for five hours to  
19 wait to testify. We so greatly appreciate that,  
20 because that just shows how important this is and how  
21 important the role that you play in this all is as  
22 well and the work that you do. So, thank you for  
23 your testimony. Chair, thanks again for your  
24 leadership, and to the entire council staff that has

2 worked so hard to put this hearing together, thank  
3 you as well. I'll turn it back over. Thanks.

4 CHAIRPERSON MENCHACA: Thank you, Chair  
5 Levin. And Sergeant of Arms as well, thank you so  
6 much for your dedication to this hearing and the  
7 whole day of hearings. This has been a series of  
8 hearings that we've had here today. And my last real  
9 comments as I thank you again for being here in the  
10 last are the following: I think the technical nature  
11 of this hearing presents the larger problem that we  
12 have ahead of us and how to fix this issue, and what  
13 I keep struggling with here is this idea that the  
14 origin of this Public Charge is an interesting one  
15 that is nothing compared to the proposal that we have  
16 in front of us, and this idea that we're protecting  
17 the United States by folks who are going to be a  
18 burden by impacting the people who are already here,  
19 and forcing them through this incredibly brilliant I  
20 think in some ways, but dark and evil and wrong and  
21 disgusting that's really fueled by a white  
22 supremacist motive, as you know phobic motive, a  
23 motive that doesn't have any money at all, doesn't  
24 protect us. It actually does the opposite. It's  
25 forcing us to think about funding in ways that we've

2 never had to deal with in the past. It's forcing us  
3 as a city to make decision that we shouldn't be  
4 making. In fact, I think what's really interesting  
5 is that it's forcing us to think about what our role  
6 is as a city and as a state, and right now as the  
7 winds have changed, are tumultuous in the Federal  
8 Government, I don't know when that's going to calm  
9 down, and I don't know that where this hope is coming  
10 from in the Mayor's Office of Immigrant Affairs, I  
11 don't think it's going to calm down at all, and so we  
12 need to make some hard decisions at the city and the  
13 state level, and you've all really presented some  
14 really good pathways to start figuring it out, and  
15 that's about training. It's about getting more food  
16 out to people, using our infrastructure of nonprofits  
17 and IDNYC. We have a lot of different infrastructure  
18 to get stuff out, and make sure that our legal teams  
19 are out there ready to have conversations. We can't  
20 do it alone. We need to do it with the city and the  
21 state together, and move from a reactionary-- move  
22 from reactionary to proactive measures, and I'm  
23 really thankful that you're here today, and we've  
24 taken everything that you have given to us serious,  
25 and we're going to analyze it and come back to you,

2 actually after the December 10<sup>th</sup> deadline. And I  
3 want to just ask Frank, how many did we get? Seven  
4 total? So we haven't moved up. So there are people  
5 in this room right now if you haven't made that  
6 comment, to please make that comment. And for anyone  
7 that's out there listening, our Americanstory.us is  
8 the webpage that we're sending everyone to, and make  
9 your comment. It's in English. It has-- it's  
10 forcing us to use the English language, but to make  
11 that comment and get to 100,000+ comments. Thank  
12 you. By December 10<sup>th</sup>, midnight December 10<sup>th</sup>, make  
13 your comment before December 10<sup>th</sup> midnight. Thank  
14 you so much and we'll call this hearing-- we'll  
15 adjourn this hearing now. Thank you.

16 [gavel]

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COMMITTEES ON IMMIGRATION, GENERAL WELFARE, AND HEALTH

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 30, 2018