

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON IMMIGRATION

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January 9, 2020
Start: 1:15 p.m.
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HELD AT: Committee Room - City Hall

B E F O R E: Carlos Menchaca
Chairperson

COUNCIL MEMBERS: Carlos Menchaca
Margaret S. Chin
Daniel Dromm
Mathieu Eugene
Mark Gjonaj
I. Daneek Miller
Francisco P. Moya

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

Haley Yee
Coalition for Asian American Children and
Families

Alvia Mata
Translatinx Network

Helen Thomas

1
2 KEITH POLITE: Testing one, two, one two.
3 Today is January 9, 2020. Today's hearing is on
4 Committee on Immigration, being recorded by Keith
5 Polite.

6 CHAIRPERSON MENCHACA: [gavel] Buenos dias
7 atodos y felice anno nuovo. My name is Carlos
8 Menchaca and I am the chair of the Committee on
9 Immigration here in the New York City Council and
10 represent District 38 in Sunset Park and Red Hook,
11 Brooklyn. It's a special hearing, because the first
12 City Council hearing of 2020 is being held by the
13 Immigration Committee. I want to thank Council
14 Member Danny Dromm from Queens and all the members of
15 our committee. As we enter the new year it's
16 important to center ourselves and recommit to the
17 values that lead our work here in this committee and
18 to outline some goals that I have for the rest of the
19 session. New York City is an immigrant city.
20 [speaking in Spanish] inmigrantes and we've always
21 known that. And as we discuss the issues, we must
22 acknowledge our immigrant neighbors as central and
23 integral pillars of our city and the needed focus to
24 shape policies to ensure their success, as it is
25 linked to the success of the city. Today New York

1 City is home to 3.2 million immigrants, the largest
2 number of immigrants in our city. That means that
3 nearly 37% of our neighbors are immigrants and 44% of
4 our coworkers are foreign-born. Our mantra is
5 simple. The immigrant experience is the American
6 experience, the New Yorker experience. And our
7 collective work on behalf of our communities lead us
8 to educate our children, care for our sick, keep our
9 streets clean, or protect our neighborhoods from bad
10 landlords. In all of these spaces we necessarily are
11 talking about immigrants in New York. When we think
12 about how best to help small businesses or make our
13 streets safe for everyone, we are necessarily talking
14 about immigrant New Yorkers. Through this lens,
15 housing is an immigration issue. Healthcare is an
16 immigration issue. Education is an immigration
17 issue. And in this committee, as we oversee the
18 city's effort to make life better, safer, and more
19 affordable for all, we will ask questions about how
20 all policies affect immigrant New Yorkers. Not
21 because they are a special class to consider, but
22 because they are, we are, New Yorkers. Those ideas
23 must also come directly from communities impacted by
24 our sometimes broken politics, at the federal, at the

1 state level, even here at the city level, and they
2 come as ideas from our people. Our tradition is to
3 start with a public panel to set tone and in that
4 space come both ideas and feelings of fear and hope.
5 Our immigrant neighbors speak about the shadows that
6 they find themselves in and the feelings of being
7 invisible. [Masta], step out of those shadows and be
8 seen. For you are the light that burns bright in the
9 torch held so proudly by Lady Liberty as she welcomes
10 and continues to welcome the masses for generations
11 to come. So step out and be seen, for you are the
12 light of the city. Today the committee will be
13 hearing a package of four bills that intend to
14 enshrine this kind of commitment. These bills build
15 on the work begun in 2017 with the passage of Local
16 Laws 185 and 186 of 2017, and continue through the
17 common's oversight of MOOIA, the Mayor's Office of
18 Immigrant Affairs, and their implementation of these
19 laws and their portfolio of programmatic initiatives.
20 I want to leave some time for colleagues to make
21 statements on those bills that they've sponsored, so
22 I will restrict my comments to just the basics of
23 these bills for them to be able to speak about their
24 work and our work here in our committee. So the
25

1 first bill before the committee is Introduction 1636,
2 sponsored by Council Member Dromm in relation to
3 establishing the Department of Immigrant Affairs.
4 And with that I defer to Council Member Dromm to
5 speak on his bill.
6

7 COUNCIL MEMBER DROMM: Thank you. Since
8 my days chairing the Committee on Immigration I have
9 worked to ensure our city does all it can to be a
10 safe and welcoming home for our immigrant families,
11 friends, and neighbors. I know the current chair,
12 Carlos Menchaca, certainly believes the same and I'm
13 grateful to him for hearing Intro 1636 today. Ten
14 years ago the landscape was very different. The
15 Bloomberg administration made bold-sounding but
16 generic statements to a national audience about
17 immigration reform, but largely ignored the pleas of
18 myself and immigrant advocates to enact actual
19 politics that would positively impact immigrant lives
20 here in New York City. At that time the criminal
21 justice system collaborated with ICE to send
22 immigrants into a deportation detention complex.
23 Before she became speaker, Melissa Mark-Viverito and
24 I were initially met with derision when we fought to
25 evict the ICE agents from our jails. Very recent

1 expressions of contrition aside, our mayor plowed
2 ahead with a Stop and Frisk policy that destroyed
3 many black and brown lives, including countless
4 immigrants in my district who were deported as a
5 result. On the flip side, there is virtually no help
6 for immigrant crime victims seeking law enforcement
7 assistance with U and TV certifications. Despite
8 executive orders, city agencies struggled with
9 language access and did not seem to know or care
10 about the demographics of the communities they were
11 supposed to be serving. Legal funding earmarked for
12 immigration attorneys was nonexistent. Adult
13 literacy funding was woefully inadequate, and
14 something the council always needed to cover. And
15 the list goes on. In other words, the more than one
16 in three New Yorkers who were born in other countries
17 simply were not a priority. How things have changed
18 in the past decade. Now ICE is largely out of our
19 criminal justice system. Now immigrant crime victims
20 can turn to the police and other agencies for help
21 with U and T visas. Now with IDNYC no New Yorker has
22 to fear that simple interaction with the police will
23 lead to deportation or that they will be barred from
24 their child's school or other buildings they need to
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1 access. Now our city boasts the most robust program
2 for immigrant legal services in the country. Now our
3 city is keeping track of the diverse communities it
4 serves and will be using that data to improve. I am
5 grateful to Mayor de Blasio and Commissioner Bitta
6 Mostofi for their work. We all seem to agree that we
7 need to be responsive to our immigrant communities.
8 Intro 1636, which would create a Department of
9 Immigrant Affairs, is the culmination of years of
10 progress and the recognition that we need not just to
11 preserve that progress but to build upon it,
12 regardless of who the mayor is. This bill does this
13 by building upon Local Laws 185 and 186 of 2017,
14 which included my legislation to strengthen the
15 Mayor's Office of Immigrant Affairs. Cities across
16 the country now stand as bulwarks against the
17 xenophobic and unconstitutional White House, and
18 making the Office of Immigrant Affairs into a
19 department is a crucial part of protecting immigrants
20 and helping them flourish. I thank you and I look
21 forward to hearing from the administration and the
22 advocates.
23

24 CHAIRPERSON MENCHACA: Thank you, Council
25 Member Dromm, and always a honor and privilege to be

1 working with you, not just as the chair, but as a
2 colleague and a New Yorker upon all these issues, and
3 the history that we just heard is part of what I
4 think is going to keep driving us to keep moving
5 forward. And we're not done. We have another
6 introduction, number 1836, sponsored by Council
7 Member Moya in relation to replacing the term alien
8 with noncitizen and addressing other matters found to
9 be obsolete. I will give an opportunity for Council
10 Member Moya to speak on his bill later today. The
11 other two bills before the committee, sponsored by
12 myself, seek to codify the values I discussed by
13 ensuring that the city's policy always consider their
14 impact on immigrant New Yorkers and they are also the
15 product of the committee's ongoing oversight.
16 Introduction number 1835 would expand the interagency
17 Task Force on Immigrant Affairs by creating a
18 speaker-appointed cochair to the task force and
19 placing a minimal quarterly meeting requirements. We
20 have another preconsidered introduction that would
21 expand the annual reporting requirements of the
22 Mayor's Office of Immigrant Affairs, and both of
23 these bills are examples of how we need to perfect
24 our approach to policy making with respect to
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1
2 immigrant New Yorkers. In 2017 I sponsored a bill to
3 create an interagency task force led by the Mayor's
4 Office of Immigrant Affairs. The idea was simple.
5 If every agency's work touches the lives of
6 immigrants in some way then there should be a
7 deliberate coordination between city agencies to
8 ensure every New Yorker's assistance. Over the
9 course of the session the committee has made multiple
10 requests for information about the task force, with
11 great difficulty. Introduction 1835 would expand the
12 existing task force to ensure this information is
13 easily available and transparent to all. The same
14 principle was behind mandating an annual report from
15 the Mayor's Office of Immigrant Affairs, and as a
16 city and entity most dedicated to thinking about how
17 our policies affect immigrant New Yorkers, we the
18 people should know what programs the office is
19 implementing and how it is addressing challenges
20 identified. This information benefits more than the
21 aims of the council's oversight. It is critical
22 information for the many organizations serving
23 immigrants across the city. In June of 2019 the
24 committee held an oversight hearing on MOOIA's annual
25 report to examine the data that informs the programs

1 and policy decisions made by MOOIA. Through this
2 oversight we discovered gaps in the reporting and
3 opportunities to make the presentation of data and
4 the metrics used to evaluate success more
5 transparent. This preconsidered legislation is the
6 result. So I look forward to the fruitful
7 conversation we'll be having today with the
8 administration and as we look to this next year I
9 hope that we can continue to work together to
10 strengthen our communities for all New Yorkers by
11 making New York City a more welcoming city for all
12 people, regardless of their national origin,
13 language, or creed. I want to thank the incredible
14 work our committee staff have been doing to prepare
15 for this hearing and that include our committee
16 counsel, Arbani Oja, community counsel policy analyst
17 Elizabeth Cronk, committee data analyst Ben Whit, and
18 my staff, chief of staff, Lorena Lucero, and
19 legislative director Cesar Vargas, and my
20 communications director, Tony Chirito. I also want
21 to welcome our Brooklyn Council Member, Mathieu
22 Eugene. We are going to call up the first panel, and
23 we are calling up the commissioner, Bitta Mostofi,
24 and she walks up I want to say thank you to her and
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1
2 her team. We've been doing a lot of good work and we
3 continue to do this work in the name of our immigrant
4 communities and I can't wait to continue, not just
5 this discussion, but the many discussions that are
6 ahead of us as we confront so much. I also want to
7 acknowledge and I've been watching you on Twitter and
8 just kind of following the incredible work that
9 you're, you're doing out of just that personal moment
10 and connection to Iran, and your heritage, and so I
11 just want to know that, I want you to know that we're
12 with you and the community here and we're in this
13 together. Thank you.

14 COMMISSIONER MOSTOFI: Thank you for, for
15 that. Thank you so much.

16 CHAIRPERSON MENCHACA: And we're going to
17 swear you in before you begin officially.

18 COUNSEL: Please raise your right hand.
19 Do you affirm to tell the truth, the whole truth, and
20 nothing but the truth in your testimony before this
21 committee, and to respond honestly to council member
22 questions?

23 COMMISSIONER MOSTOFI: I do.

24 COUNSEL: Thank you.
25

1 able to work with our partner agencies to respond
2 quickly and effectively to a host of federal changes,
3 including through multiagency response. As one
4 example, during the family separation crises MOOIA
5 coordinated with myriad agency partners to quickly
6 deliver important services to separated children and
7 their families. This has been a theme of our work
8 over the past few years. We've used our bully pulpit
9 and existing infrastructure to efficiently meet the
10 needs of the moment, coordinating the response across
11 multiple agencies to swiftly respond to sudden
12 federal policy changes. This includes convening
13 partners around public charge, the travel ban,
14 threatened raids, and attacks on DACA and TPS,
15 amongst others. Similarly, we have been able to use
16 our role as a mayoral office to help organize a
17 national coalition of like-minded mayors in cities
18 and counties in our advocacy and education on behalf
19 of immigrant New Yorkers at the federal level.
20 Through this advocacy we've coordinated mayoral sign-
21 on letters and comments, including a condemnation of
22 the Trump administration's efforts to make it harder
23 to naturalize. We collaborated in the development of
24 multicity amici briefs, including for the DACA case
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1 currently before the Supreme Court. Turning to our
2 work internally and in conjunction with our partner
3 agencies, MOOIA is best suited to coordinate among
4 and influence the various city agencies, offices, and
5 other entities that regularly interact with
6 immigrants from within the Mayor's Office. In
7 conjunction with the Mayor's Office of Operations,
8 MOOIA monitors and reports on the progress of
9 agencies covered by the city's language access law,
10 Local Law 30, something that requires engagement
11 across 35 agencies. We additionally provide language
12 services support for over 15 mayoral offices.
13 Similarly, MOOIA is the office tasked with supporting
14 and reporting on the actions of all city agencies in
15 relation to immigration enforcement requests pursuant
16 to Local Law 228. MOOIA is best suited to coordinate
17 among and influence the various agencies, offices,
18 and others that regularly interact with immigrants
19 from within the Mayor's Office with the support of
20 City Hall. The interagency Immigrant Task Force has
21 served an important role in cultivating the expertise
22 and best practices of our agencies in serving New
23 Yorkers, providing notice of key federal policy
24 updates and changes, and identifying key ways to
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1 build on work to better service immigrant
2 communities. Eleven members of the task force are
3 mandated to be present, but we didn't think that was
4 enough. So we invited nine additional agencies. The
5 task force has served as a way for MOOIA and agencies
6 to share programmatic updates, like the launch of NYC
7 Care and IDNYC renewals, and CCHRR'S recent published
8 enforcement guidance about discrimination based on
9 immigration states and national origin. At task
10 force meetings agencies learn from each other's
11 practices. During a task force meeting last year
12 agencies discussed what they were doing in response
13 to impending raids. At another task force meeting
14 the Department of Consumer and Worker Protection
15 shared best practices around engaging in immigrant
16 communities. The task force is one of several ways
17 that we work with agencies to ensure the city is
18 serving the needs of immigrant communities. The task
19 force, however, is not the only way, nor should it
20 be, that MOOIA engages agencies. Because the
21 agencies involved in the task force range from
22 smaller offices to larger social service departments,
23 a one-size approach to immigrant inclusion in every
24 situation would be inappropriate and ineffective.
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2 Instead, we work with agencies outside of the task
3 force to improve access to services and address
4 immigrant needs in ways most conducive to advancing
5 those goals. For example, through language access
6 work we convene agency language access coordinators
7 on Local Law 30, develop and distribute guidance
8 materials to agencies, and meet with agencies one-on-
9 one with agencies to discuss implementation and offer
10 our technical assistance. Much of this work requires
11 working closely with the individual agency and
12 adapting to the best way of accomplishing the shared
13 goals with them. As another examination in our
14 partnership with New York City Emergency Management,
15 which is one of the agencies we've invited to join
16 the task force, it is more efficient for us to engage
17 with them one-on-one in situations when we assist
18 with providing language access support instead of
19 using the task force meeting for that purpose.

20 MOOIA's approach to interagency work recognizes the
21 subject matter expertise of our partners and builds
22 on that expertise to expand access to immigrant New
23 Yorkers. One example of that approach and it's
24 effectiveness can be seen in the work we're doing
25 with NYC Care. Instead of MOOIA creating and running

1 a healthcare program for immigrants, we're working
2 with New York City Health and Hospitals, which has
3 both the infrastructure and expertise to implement
4 such a program, while providing specific areas of
5 support on understanding the essential issues in
6 serving health needs of immigrant communities and
7 coordinating outreach for that program to ensure
8 we're effectively reaching immigrant communities. We
9 have taken a similar track when working with DCWP,
10 the Department for Consumer and Worker Protection.
11 DCWP has the expertise in workers' issues, so MOOIA
12 partnered with them to develop multilingual immigrant
13 worker rights information, sharing our expertise of
14 the innate challenges faced by immigrants. And as
15 such we've discussed previously and as this committee
16 knows the city's public charge work is fundamentally
17 a collaborative effort across many agencies. Nearly
18 40% of our city's population is foreign-born. The
19 inclusion of their families takes you 60%. The work
20 of entire city must and should consider their unique
21 needs and situations, instead of being siloed in one
22 department. This work should be centered in a
23 mayoral office that can work across city government,
24 leverage city resources, and identify opportunities
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1 for partnership. IDNYC, for example, uses DSS HRA
2 human services resources support, IT support, legal
3 department, and space, which allowed the city to
4 build out a program the size of IDNYC. Additionally,
5 programs that are meant to be cross-cutting and serve
6 myriad populations are operationally best situated
7 within other agencies. This helps remove any stigma
8 around seeking services, while ensuring that an
9 immigrant-focused lens can be applied through
10 partnership with our office. As one example, we're
11 working to incorporate ActionNYC into the existing
12 civil legal services infrastructure that lives in DSS
13 HRA's Office of Civil Justice, while maintaining our
14 role in helping to set the administration's policy
15 and programmatic goals for better serving immigrant
16 New Yorkers. This will consolidate all legal
17 services into DSS HRA and as a result increase
18 transparency and efficiency. I will now turn to the
19 four bills on the agenda today. MOOIA strongly
20 supports the proposal to remove the offensive and
21 dehumanizing term alien from city administrative code
22 wherever possible. MOOIA has been working on a
23 similar proposal alongside the City Commission on
24 Human Rights and the law department, and we're
25

1 thrilled to see this introduced by the council. In
2 terms of Intro 1836, we have some technical edits
3 that we can share, as well as additional provisions
4 where we believe language ought to be changed in the
5 human rights law. In our work with CCHR and the law
6 department, we've identified some state law issues.
7 We are nevertheless certain that we share the same
8 goal here and look forward to continuing discussions
9 about this bill with the council. MOOIA is also
10 grateful to be able to work with the council and the
11 chair in particular on continuing to build on the
12 just two-year-old annual report. As I testified last
13 summer, the annual report has been used by both
14 advocates and by other community members who are
15 eager to see the data we provided about immigrant New
16 Yorkers and our programs. We're particularly proud
17 of the role MOOIA plays in partnership with New York
18 City Office for Economic Opportunity and national
19 researches, such as the Center for Migration Studies
20 and using American community survey data to estimate
21 the city's various immigrant groups, including the
22 undocumented population. This data has been a
23 crucial source for stakeholders in the city,
24 including the media, and understanding our
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1 communities. We're happy to continue the discussions
2 started last summer about the information in MOOIA
3 should include in the report, and as you are no doubt
4 aware we're currently drafting the annual report for
5 2019 and incorporating some of the feedback that we
6 received from the council in the summer. Many of the
7 provisions outlined in the bill coincide with that
8 feedback and we're interested in working with the
9 council to assess what additional metrics and data we
10 can report on and we look forward to those
11 discussions. MOOIA appreciate council's interest in
12 the Interagency Immigrant Task Force as well.
13 However, the city has concerns about the proposal
14 outlined in Intro 1835. The task force, as created
15 by the council in 2017, is a city task force led by
16 MOOIA, an office of the mayor, and as mentioned
17 earlier has been working effectively. We're
18 concerned how a cochaired task force would operate
19 and how that would impact the task force's important
20 work. We would like to work with the council to find
21 ways to keep council better informed and better
22 involved in the work of the task force while
23 maintaining its effective structure and role within
24 the administration. MOOIA looks forward to further
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1 discussions with the council on the intent and
2 proposals for Intro 1835. And finally, in regard to
3 Intro 1636, we deeply appreciate the goals of this
4 bill to ensure not just the recognition of the
5 importance of the work of MOOIA for our city, but
6 also the ability for it to be showcased properly.
7 This is why we were happy to work with the council on
8 the changes to MOOIA's mandate made in 2017.
9 However, we do have serious concerns about 1636 as
10 written. MOOIA was created as a mayoral office by
11 referendum in 2001. Since then it has served the
12 nearly 40% of New Yorkers who are immigrants and 60%
13 their children. I strongly believe that immigrant
14 inclusion and integration is the responsibility of
15 the entire city, not just one agency. The model that
16 we have found to be the most effective is having
17 MOOIA consult with myriad city agencies to make sure
18 that serving immigrants is a major aspect of their
19 work. This way we can influence, improve, and
20 leverage existing infrastructures without
21 inefficiently recreating programs or structures that
22 exist elsewhere in the administration. While we
23 concur with the need for resources and services to
24 best serve immigrant New Yorkers, we do not believe
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1 that it makes sense to spend resources to build out
2 the necessary infrastructure for our department when
3 we can utilize existing resources elsewhere. Our
4 current agency partners take very seriously the role
5 of ensuring that all New Yorkers can access their
6 services and many agencies do have immigrant-specific
7 bureaus. As examples, DSS HRA has an office of
8 Immigrant and Refugee Affairs and similarly ACS has
9 an Office of Immigrant Services and Language Affairs.
10 Both of these offices are crucial partners in
11 ensuring access to services for immigrant New
12 Yorkers, with the specific mission of ensuring that
13 the programs overseen by those agencies are
14 incorporating the needs of immigrants. We do believe
15 the additional institutionalization and formalization
16 of MOOIA's rule could be helpful. For example, the
17 charter includes language about MOOIA's role in
18 enhancing access to benefits, but does not include
19 language about empower immigrants with information
20 about their rights. This is work that MOOIA does and
21 which fits into our shared goals of empowerment and
22 civic engagement. Similarly, MOOIA conducts
23 qualitative and quantitative research alongside the
24 Mayor's Office of Economic Opportunity and the
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1 Department of City Planning, and has published
2 several fact sheets about the impact of certain
3 policy and legal changes in New York City immigrant
4 communities. Working alongside our partner agencies
5 to improve our understanding of immigrant New
6 Yorkers, the trends we see, their needs, and the
7 impacts of their immigrant status or English
8 proficiency on reaching their fullest potential has
9 been critical to our work. Finally, given the nature
10 of immigration and the degree to which it has
11 relevance and import at the federal level, being
12 within the Mayor's Office has further enlightened us
13 to the advantage of speaking from City Hall. It is
14 without a doubt a critical means by which we have
15 been able to wield the power of the administration
16 both internally and externally in a time when it is
17 necessary to engage in nimble and swift action to
18 fight for our values alongside immigrant New Yorkers.
19 I look forward to continuing our discussion of this
20 proposal with the council. Thank you for the
21 opportunity to testify about these bills, and I look
22 forward to the additional conversations. I'm happy
23 to take any questions and look forward to working
24 with you.
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2 CHAIRPERSON MENCHACA: Thank you, thank
3 you, Commissioner, for your testimony and for
4 uplifting the work that we're doing together. And I
5 know the bills really kind of focus on some of the,
6 the kind of administrative relationship and, but it's
7 an important discussion, and I just want to go
8 through the bills really quick, just to understand
9 that essentially the concerns, the kind of greater
10 concerns, are coming with Intro 1636 that are asking
11 for an agency to be created. The 1835, 1844 are here
12 for further discussion, so we can have further
13 discussions. There's no yea or nay, just more
14 discussions about what that means. And then 1836 is
15 a go. You've been working on similar administrative
16 code changes and so we're ready to kind of move
17 forward on that end. With the state issues we'll
18 figure that out as...

19 COMMISSIONER MOSTOFI: Yeah, we'll figure
20 out the legal issues, but that's it.

21 CHAIRPERSON MENCHACA: OK, great. Thank
22 you, thank you for that. I'm going to hand it over
23 to Council Member Dromm to really begin the
24 discussion on what will be probably the more
25 difficult discussion in terms of the visions that we

1
2 are sharing, and with that I'm going to hand it over
3 to Council Member Dromm.

4 COUNCIL MEMBER DROMM: I don't know how
5 difficult I'll be, but, ah, anyway.

6 COMMISSIONER MOSTOFI: [laughs]

7 CHAIRPERSON MENCHACA: The discussion is
8 a challenge, yes, and, and it's all yours.

9 COUNCIL MEMBER DROMM: Anyway, you know,
10 the purpose in me reading the success that we have
11 had under this administration as opposed to the
12 previous administration was to highlight some of the
13 things that we have done that I think have had such a
14 positive impact on our immigrant communities, and one
15 that I fear if we don't have the current
16 administration we may lose, ah, moving forward with
17 other administrations to come, especially with what's
18 happening in Washington, D.C. at this moment. So I
19 honestly don't understand or get, and it's probably
20 maybe because I'm not in the administration, but how
21 being a department would prohibit you from doing some
22 of the things that you mentioned in your testimony?
23 So, for example, you say the model that we have found
24 most effective is having MOOIA consult with the
25 myriad agencies to make sure that serving immigrants

1
2 is a major aspect of their work. It still would be
3 possible, wouldn't it, for a department to work with
4 those agencies?

5 COMMISSIONER MOSTOFI: For sure. I guess
6 I'd say a couple of things. I'd say, um, it matters,
7 for better or worse, right, externally and internally
8 to be able to convene as a mayoral office, to call on
9 others internally and externally from that position
10 or vantage point, and to be able to use the
11 infrastructure that exists across it to drive the
12 work and, um, I think to your point, which is a sound
13 one, Council Member, about the fact that there's, I
14 mean, you can't compare this administration to the
15 last one as to immigration, right? And that has so
16 much to do with leadership in the council, leadership
17 in the administration, and leadership within this
18 office itself. So like if I actually had to connect
19 the dots on what makes the work grow and what makes
20 it successful, that's where I would point, right? I
21 don't, and so then if I'm picking, with that reality
22 or landscape in mind, if I'm saying, OK, if you have
23 those things in place where are you more effective.
24 You know, this has been like a very, I've really
25 tried to grapple with this. I've talked to a lot of

1 people and tried to inform myself, both like
2 structurally what does it take to establish a
3 department, how does that shift our work, does it
4 make us more strategic, more advantageous? Does it
5 institutionalize the work in any other real way, and
6 I, consistently I met with no, like you are more
7 effective than many departments, right? And that has
8 a lot to do with the commitment and the buy into the
9 work and who the leaders are and less to do with
10 where we're situated, and so from my vantage point if
11 that's true where we're situated has been hugely
12 critical in driving the work.

14 COUNCIL MEMBER DROMM: That,
15 Commissioner, is actually my concern. It is because
16 of the work that you've been able to accomplish and
17 the work of this administration that we've been able
18 to do so much. My fear is that if the next
19 administration has a commissioner for immigration
20 that isn't as committed or is committed in the same
21 way that this administration has been, um, then we
22 will lose the benefit of the work that we have done
23 or already accomplished.

24 COMMISSIONER MOSTOFI: And I haven't
25 understood to be true, but would appreciate like

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2 further conversation with you to understand what the
3 difference would be. So from my, what I have seen,
4 there's been cuts in departments, right, for varying
5 reasons or that haven't been prioritized and I have
6 actually seen benefit in being within the Mayor's
7 Office and being able to prioritize or drive issues.
8 So I haven't seen the other side of that coin.

9 COUNCIL MEMBER DROMM: I think in my mind
10 the idea of a department carries more weight than
11 simply a office of, ah, Mayor's Office of Immigrant
12 Affairs. I think that knowing that there's an actual
13 department, um, with our chair, our current chair, he
14 has held budget hearings during the preliminary and I
15 believe during the executive as well. But when I was
16 immigration chair we didn't have that and the reason
17 used for that was because it wasn't a department.
18 And so we constantly had to fight for funding and,
19 and the only reason I think we've gotten to the level
20 of where we have funding now is because of the
21 interaction that we have all had, and that makes me
22 worried that if in fact it's not a department and the
23 priority of the next administration isn't so much on
24 immigrant, immigrants, that then they cut budgets

1 without even the public or the immigration chair
2 really even knowing move forward.

3
4 COMMISSIONER MOSTOFI: So I hear, I hear
5 that. And I think you hear from, I hope you hear
6 from me today a commitment to try and address those
7 concerns or challenges. I think certainly I won't be
8 here with the establishment [laughs] of something
9 like this, so this isn't a personal, ah, what would I
10 prefer. It is really substantively, I think we have
11 the same goal of thinking about how this work lives
12 past all of us, right, in the most effective way.

13 And I have a commitment to ensuring that the
14 transparency is where it needs to be and improving on
15 that and working with you to do that, 'cause I
16 understand that, um, and I think that that's a fair
17 thing to raise. Um, I think, though, to your point
18 of ensuring that the work remains and is
19 institutionalized. I think that was part of the
20 purpose of the bills that we've worked together to
21 pass, right, over the course of the last six years.
22 Um, institutionalizing MOOIA's oversight rule over a
23 language access through legislation,
24 institutionalizing our role over immigration
25 enforcement, right, and how city agencies are

1
2 responding to those requires through Local Law 228,
3 creating or carving a role for us to work with the
4 chief privacy officer as it relates to privacy
5 considerations, or access to property questions,
6 expanding the legislative role of the office, so that
7 actually another agency can't come in and say, no,
8 there isn't work in that office that deals with
9 federal or state policies, right? And I think there
10 are ways to continue to do that. I'm not yet
11 convinced that we would actually establish the goals
12 I think we both have if it were a department.

13 COUNCIL MEMBER DROMM: So if another
14 department were to say that's a role that we can't
15 allow you to involve yourself in, that happens?

16 COMMISSIONER MOSTOFI: Sorry?

17 COUNCIL MEMBER DROMM: Even if that would
18 happen within the administration, if there's an issue
19 with let's say Department of Transportation versus
20 DEP, you know, oftentimes there's similar issues,
21 related issues, you know, paving of a road versus a
22 water main break or whatever, those agencies work
23 together even though they're different departments.

24 COMMISSIONER MOSTOFI: Of course. No,
25 I'm not suggesting that. I think I'm saying the

1
2 convening power and the influence power and the fact
3 that from my perspective a huge part of the role of
4 an office like this is...

5 COUNCIL MEMBER DROMM: Is that it comes
6 directly from the mayor?

7 COMMISSIONER MOSTOFI: Well, it's, yeah,
8 it's coming from the Mayor's Office and City Hall and
9 we're getting the weeds of other agencies' practices
10 and policies, which I think agencies have, you know,
11 I think we've done, I've been very appreciative to
12 the willingness for folks to allow to play the role
13 that we do, but as you can imagine, it is a little
14 bit of like a big brother looking over your shoulder
15 sometimes and I think it's helpful to be able to have
16 the background of city hall and doing that work.

17 COUNCIL MEMBER DROMM: And one of the key
18 ways in which the city provides direct services to
19 immigrant New Yorkers is through a large portfolio,
20 social and legal services, as we've been discussing,
21 primarily administrated, but through HRA and DSS. So
22 would the administration of these contracts change if
23 there, um, if they were to be rehomed in the
24 Department of Immigrant Affairs.

2 COMMISSIONER MOSTOFI: Our understanding
3 is that there would be both legal and operational
4 challenges to those contracts, yes.

5 COUNCIL MEMBER DROMM: Can you elaborate
6 further on that? What would that be?

7 COMMISSIONER MOSTOFI: I think this is
8 something that we're starting to try, you know, with
9 the introduction of this bill to better understand,
10 but have heard concerns of, ah, needing to establish
11 new contracts if there were to be a new department,
12 that we would have oversight over.

13 COUNCIL MEMBER DROMM: So in terms of
14 that discussion it reminds me of similar discussions
15 that the council had with the Mayor's Office of
16 Veterans Affairs versus the creation of the
17 Department of Veterans Affairs. Have you
18 communicated at all with the Department of Veterans
19 Affairs?

20 COMMISSIONER MOSTOFI: We have.

21 COUNCIL MEMBER DROMM: OK.

22 COMMISSIONER MOSTOFI: Yes.

23 COUNCIL MEMBER DROMM: So that's been
24 part of your discussion in terms of...

25 COMMISSIONER MOSTOFI: It has.

1 COMMITTEE ON IMMIGRATION 34
2 COUNCIL MEMBER DROMM: ...of looking at
3 what might have to happen if in fact a Department of
4 Immigrant Affairs is to be created.

5 COMMISSIONER MOSTOFI: Yeah, but I, but I
6 would reiterate again here what I noted in the
7 testimony, which I don't think is insignificant, is,
8 um, you know, my, and I think your shared kind of
9 year to year goals has been that we are increasing
10 the resources going into our communities and the work
11 itself, and I think that if the necessary resources
12 to actually create the physical infrastructure of a
13 department are not insignificant, um, whereas the way
14 that we work now, or operate now, is we're able to be
15 a little bit more nimble because we're working with
16 agencies to better suit their infrastructures to
17 doing this work, but playing a role in that. So I
18 think that it's not, it is, it is important and there
19 should be continued work on making sure that agencies
20 are best able to do this work and to do so
21 effectively, and I think from, as I said, from my
22 perspective if I could be, if I'm persuaded
23 strategically that going in the department direction
24 is the way to go I would still be concerned that now
25 you're talking about a lot of new resources to build

2 an infrastructure for a department to happen, instead
3 of those resource going where I would like them to go
4 with services and programs.

5 COUNCIL MEMBER DROMM: How many staff
6 does MOOIA currently have?

7 COMMISSIONER MOSTOFI: So I appreciate
8 the question and know that this is an area of where
9 we can improve upon in terms of transparency and we
10 have spoken internally and we look forward to being
11 able to sit down with you and try and address this in
12 a better way and be more responsive to these
13 questions. So we're happy to do that with you after
14 this.

15 COUNCIL MEMBER DROMM: And can we talk
16 about how many are on detail versus how many are
17 borrowed from other departments?

18 COMMISSIONER MOSTOFI: Yes.

19 COUNCIL MEMBER DROMM: OK. And why do
20 you separate that out? Why are those arrangements
21 made?

22 COMMISSIONER MOSTOFI: Why are they made?

23 COUNCIL MEMBER DROMM: Right, that you
24 have some that are on detail and others that are
25 borrowed.

2 COMMISSIONER MOSTOFI: Um, we don't have
3 borrowed staff.

4 COUNCIL MEMBER DROMM: No?

5 COMMISSIONER MOSTOFI: We do not, no.

6 COUNCIL MEMBER DROMM: OK. But you do
7 have on detail?

8 COMMISSIONER MOSTOFI: On detail? I
9 don't think so either.

10 COUNCIL MEMBER DROMM: They're not [term]
11 that way?

12 COMMISSIONER MOSTOFI: Mmm-umh.

13 COUNCIL MEMBER DROMM: OK. Well, let's
14 make sure that we discuss that.

15 COMMISSIONER MOSTOFI: Yeah, that's why I
16 want to make sure that we're responsive. [laughs]

17 COUNCIL MEMBER DROMM: Um, so the
18 resourcing of current MOOIA is wholly dependent on
19 the mayor's prioritization of such an office. Should
20 there come a time when the mayor seeks to do
21 prioritize immigrant issues how might those resources
22 be allocated, ah, to the current MOOIA change? So if
23 the mayor were not to, um, fully fund it as it's
24 being funded now, we may even believe it now it's not
25 fully funded, or as much funded as we'd like to see.

1
2 But what would happen to those, to the funding? How
3 would it be separated out? Would it be moved? I
4 mean, can you envision any scenario where that would
5 happen, or what would happen to the programs that are
6 already in place?

7 COMMISSIONER MOSTOFI: It is hard to, um,
8 envision that, mostly because I think the, as is aid
9 before, I think that the commitment to the program, I
10 mean most of it is programming, right? The vast
11 majority of the resources and the funding are
12 programming from IDNYC to ActionNYC, ah, to We Speak
13 New York, and so those are, are things that we,
14 certainly IDNYC and ActionNYC we feel have longevity
15 and support because people use the programs, right,
16 and they're championed, and that is not just from us,
17 but from you all and community members and others and
18 so I think, ah, and part of the goal of bringing
19 ActionNYC into the, ah, Office of Civil Justice is so
20 that all the immigration legal services contracts
21 live in one place and you can literally see, ah, all
22 the resources that are there and be mindful of sort
23 of what the needs is if they're already [inaudible].
24 So I don't see what you're forecasting, but I
25

1 definitely, I'm trying to better understand it and
2 ensure we're protecting against that.

3
4 COUNCIL MEMBER DROMM: Well, do you feel
5 it would be correct for me to state that you feel
6 that a Department of Immigrant Affairs wouldn't
7 insulate the concerns of immigrant New Yorkers from
8 future political whims?

9 COMMISSIONER MOSTOFI: I don't see a
10 difference. Um, I haven't, but I am open to
11 continued conversation to ensure that we're not
12 missing anything. I think that the council's passage
13 of the legislation that expands the role of the
14 office and the work mandated for the office to do is
15 critical and important in insuring that, right? And
16 I think that we certainly, certainly I feel strongly
17 that we have a shared vision in the work, right, and
18 making sure that it's effective and productive as
19 possible and that includes resources, not just for us
20 but for agencies to do the work, right? So, I think
21 let's continue this conversation and certainly
22 appreciate and value that this is something that we
23 all want to see continue and live on beyond us in the
24 most effective way possible.

2 COUNCIL MEMBER DROMM: OK, so the 2017
3 language access law requires that all city agencies
4 develop and implement language access plans and to
5 thus be responsible for the provision of language
6 access to their constituencies within the framework
7 that's laid out in the law. At the same time, MOOIA
8 is directed to monitor language access provision
9 across agencies. This is an example in which
10 responsibility to serve limited English proficient
11 New Yorkers is shared by individual agencies and by
12 MOOIA. How would this work change if MOOIA were to
13 become a Department of Immigrant Affairs?

14 COMMISSIONER MOSTOFI: So that one's an
15 interesting one, because we actually share that
16 oversight role with the Mayor's Office of Operations,
17 right, and we have found that to be really important.
18 We bring different skills and expertise to that
19 engagement with agencies and so we see that as a
20 partnership that shouldn't change, because we've seen
21 the value add in having, ah, their, their staff work
22 alongside our staff in doing that oversight work.

23 COUNCIL MEMBER DROMM: OK. I think that
24 it's for now and I thank you for your time. Thank
25 you very much.

1
2 CHAIRPERSON MENCHACA: Thank you, Council
3 Member Dromm. We've been joined by Council Member
4 Moya, Francisco Moya, from Queens, and I want to, I
5 want to, ah, review some questions and follow-ups
6 from some of the conversation that happened with you
7 and Council Member Dromm. I want to start with some
8 basics. You know, I want to be as open-minded as
9 possible in this discussion because it is
10 transformational in a lot of way, and I hear you
11 speak about the power that you are wielding in terms
12 of the connections and that's compelling. What also
13 is compelling is this concept of transparency and you
14 admitting here in front of us that it's been
15 difficult. The conversation around staff and not
16 being able to answer that here has not just been the
17 first time. This has been a continual conversation
18 where we are met with no information, and these are
19 the kind of things that are difficult for us build
20 policies around and when we work with constituents
21 and organizations those are the kinds of things that
22 make it frustrating, difficult, and really begin to
23 tarnish the brand of true immigrant fighters across
24 the board. They look to us with disappointment and
25 they look to you with disappointment, and the mayor,

1 really the mayor. And so those are the kind of
2 things that are really at the center and the core of
3 this discussion and how we move through that with a
4 longer history of ahead of us where we can really
5 codify and an agency work the commitment to
6 immigrants. No one is saying that you're not
7 committed in the work that you do and I've seen you a
8 work. The question is not for you, it's really for
9 the future of the city, and the city has been run by
10 mayors that are not friendly to the immigrant
11 community, even with its history that both Council
12 Member Dromm and I spoke to. And that's the, that's
13 the work here. So can you define what, what is an
14 agency to you as the Mayor's Office? Like what, what
15 is an agency?
16

17 COMMISSIONER MOSTOFI: I'm sorry, I'm
18 not, what do you mean?

19 CHAIRPERSON MENCHACA: Can you define
20 what a department is? What is a department?

21 COMMISSIONER MOSTOFI: I would maybe ask
22 you to do in converse. I think that the challenge
23 that I've had in going through this exercise is
24 trying to better understand the value add, um, in the
25 creation of a department versus keeping us where we

1
2 are, but continuing to be thoughtful in the work of
3 the office and its responsibilities and codifying
4 that through legislation or otherwise, right? I
5 don't, I haven't seen the, the value add as being
6 greater than keeping us in, in this situation, and to
7 your point, and I said this myself, it's really not
8 about me, because I won't really be here when such a
9 thing is created, and so I certainly have not been
10 looking at it from a personal point of view, but
11 rather a strategic one and what I've witnessed in
12 doing the work over the course of the last six years
13 and how the work is done across, you know, the city,
14 um, and the import of actually being able to
15 represent the mayor, which you are really doing when
16 you're a mayoral office both within communities,
17 which is important, communities who have never had a
18 mayor's office come and speak to them or care about
19 them or value their point of view or want to ensure
20 that we're serving them and helping build their power
21 to being able to sit in a congressional office from
22 the Mayor's Office and as a spokesperson from City
23 Hall to say this is the position of the City of New
24 York as it relates to immigrant communities and
25 immigrant values. That has not been something I've

1 taken lightly and it has allowed me to do my work
2 better and I think within the Trump administration
3 it's actually further enshrined the value of it.

4
5 CHAIRPERSON MENCHACA: Well, and I think,
6 maybe to your point that we, we're actually, we're
7 doing our best here to define what an agency is in,
8 um, in many ways and so we will do that in the coming
9 days and even through this hearing is to define for
10 you what it means to have an agency and the power of
11 an agency and so maybe the definition and
12 understanding of an agency really comes and can be
13 informed by conflicts that we have had in the past in
14 terms of how we have been at different sides of the
15 conversation, and so maybe before I go into any
16 specifics how does the mayor resolve conflict with
17 agencies right now, and you being in the Mayor's
18 Office, you're kind of in the space where you've seen
19 maybe a potential with, with a department head, the
20 commissioner of the Department of Education, or
21 Department of Homeless Services, or DFTA, etc. How
22 have you seen the mayor make or resolve conflicts?

23 COMMISSIONER MOSTOFI: I have not. I can
24 speak for his approach to, I certainly can't speak
25 for the mayor in this regard or his approach with

1
2 other agencies. I have witnessed and seen my self
3 treated with equal amounts of respect and, ah,
4 authority as my sister or brother commissioners. I
5 have not by any stretch of the imagination seen my
6 own role, or my role as a commissioner within the
7 Mayor's Office versus a department be diminished. In
8 fact, in some cases I have stronger relationships
9 across [inaudible] and so I don't, in that regard I'm
10 not sure I can be more responsive than what I just
11 said.

12 CHAIRPERSON MENCHACA: I'll bring an
13 example that has been a continued sore spot for all
14 of us in terms of the decision that the mayor has
15 made unilaterally to remove the ability for everyone
16 to have access to legal services that do not include
17 the, ah, the detainer, the detainer law crimes, and
18 this has been, this is kind of the larger
19 conversation about due process. And that's something
20 that the mayor gets to decide and has power over his
21 agencies to kind of impact, and part of what I think,
22 that's an example of where our mayor has kind of gone
23 above and beyond to make a decision that I think has
24 been not necessarily felt across the board, and an
25 example of where a mayor can kind of go above and

1 beyond and make a decision that's unilateral and has
2 the power to do that. Agencies would then have the
3 ability to kind of, we can hold them accountable
4 through the budget process and, and other ways that
5 would allow for further discussion. That's...

7 COMMISSIONER MOSTOFI: But that's a...

8 CHAIRPERSON MENCHACA: That's an example,
9 so I just want to kind of give an example of where we
10 just haven't been connected in terms of values and
11 strategy, and what I think we're saying is in a
12 moment where a mayor decides not to go and move
13 forward in the policy that is being driven by the
14 City Council or by the people that an agency could be
15 more compelled to be able to have transparency and
16 oversight over a question about access to services.

17 COMMISSIONER MOSTOFI: I would disagree
18 entirely with the premise of the question. So, first
19 off, as it relates...

20 CHAIRPERSON MENCHACA: Well, please.

21 COMMISSIONER MOSTOFI: As it relates...

22 CHAIRPERSON MENCHACA: Lay that out for
23 us.

24 COMMISSIONER MOSTOFI: As it relates to
25 the issue that you raise, let me remind you that

1 those contracts are administered by HRA, the Office
2 of Civil Justice, and actually what I articulated was
3 the goal in consolidating all immigrant legal
4 services contracts within that office, um, and so I
5 don't, that, that...

7 CHAIRPERSON MENCHACA: But at the
8 direction of the mayor, the mayor has made that
9 direction.

10 COMMISSIONER MOSTOFI: Again, not
11 administered by the Mayor's Office of Immigrant
12 Affairs, administered by the Department of Social
13 Services. I don't think, and I hope, that nobody
14 sees myself or Commissioner Banks as ones who don't,
15 ah, use our voices and leadership to drive the values
16 that we have and share, and of course I think that
17 there's, ah, there's import for that conversation and
18 discussion, but there is transparency of those
19 contracts, where they are and what provisions they
20 hold. I don't see, if your point is aiming at
21 there's greater ability for a department head to push
22 back versus the Commissioner of Immigrant Affairs I
23 would disagree entirely.

24 CHAIRPERSON MENCHACA: OK. And that's
25 helpful. And, again, that helps us understand how

1
2 the relationship with the Mayor's Office has with
3 city agencies. And maybe there's no power there that
4 a commissioner will have in a department.

5 COMMISSIONER MOSTOFI: [inaudible].

6 CHAIRPERSON MENCHACA: So it kind of goes
7 to show that really there is no extra power that a
8 department has if the mayor decides that he wants to
9 carve out access to legal services for people who
10 have certain crime, ah, then that's at his. So that,
11 that's instructive here in this discussion. Have you
12 spoken to other prior commissioners about this
13 question and who have you spoken to?

14 COMMISSIONER MOSTOFI: Sure, I have
15 spoken to my immediate predecessor who shared this
16 point of view, of course, Commissioner Agarwal, um,
17 and I have actually reached out and engaged, to
18 engage with the prior commissioners who are both away
19 at this time, but we will, we will engage and talk
20 about it. I will say the work of this office under
21 this administration has a striking difference, right,
22 from prior administrations and, again, emphasize that
23 that has to do with leadership and who cares about
24 this work and who values and prioritizes it. I have
25 yet to hear an argument that I think is persuasive,

2 that it changes or shifts depending on whether it's
3 an office department.

4 CHAIRPERSON MENCHACA: No, it shifts
5 because of the mayor.

6 COMMISSIONER MOSTOFI: Yeah.

7 CHAIRPERSON MENCHACA: That's, and I
8 think that's the point.

9 COMMISSIONER MOSTOFI: Leader, no, no,
10 leadership.

11 CHAIRPERSON MENCHACA: Yeah.

12 COMMISSIONER MOSTOFI: I think leadership
13 matters.

14 CHAIRPERSON MENCHACA: Not an agency or
15 Mayor's Office, it's a shift that we're trying to
16 anticipate in the future...

17 COMMISSIONER MOSTOFI: No, I'm, I'm
18 saying, I'm saying the exact opposite of that.

19 CHAIRPERSON MENCHACA: OK, so explain, or
20 restate your point.

21 COMMISSIONER MOSTOFI: Articulate it,
22 yeah, restate it. I'm saying that I've yet to hear
23 an argument that it, the ability to shift
24 prioritization or issues changes from the mayoral
25 office to department in a way that I think is

1
2 persuasive. So for example the reason that I think
3 that you've seen such success in the work, in this
4 work, is because of the commitment across leadership,
5 um, but that, if we were a department I don't think
6 that would have, we would have grown if we didn't
7 have that commitment, for example. So like say we
8 were a department when we came into office in 2015,
9 um, would that have radically changed, and say not
10 the speaker, not you all, not myself, not the mayor
11 cared about immigration, would we have seen the kind
12 of focus or commitment that we've seen? No. Right?
13 [laughs] So I think the whole package and context is
14 what matters, and I haven't been able to understand,
15 but appreciate continued conversations how this, the
16 mayor change from the office to the department
17 actually changes that equation.

18 CHAIRPERSON MENCHACA: Yeah, and I think
19 that the disconnect here is we're not, we're speaking
20 to the context that changes after an administration
21 changes, the City Council's about to shift
22 completely, leadership is going to be different, and
23 what we're trying to do is codify that commitment.
24 And if it takes a few more steps, if it takes a few
25 more pillars that, that need to be constructed...

2 COMMISSIONER MOSTOFI: Yeah.

3 CHAIRPERSON MENCHACA: Then we're saying
4 that we should consider that.

5 COMMISSIONER MOSTOFI: Yeah, and I
6 appreciate that, for sure. I think that, as I said,
7 all of the legislation that's been passed that
8 codifies the work of the office I think is hugely
9 helpful and important, and so I want to continue
10 those conversations.

11 CHAIRPERSON MENCHACA: OK. I'm going to
12 pause for questions, and actually what I want to do
13 is ask Council Member Moya to read in his statement
14 he has on his bill.

15 COUNCIL MEMBER MOYA: I just have one
16 question.

17 CHAIRPERSON MENCHACA: OK, well, I'm
18 going to hand it over to you to do a couple things.
19 Questions, and then, ah, give us any kind of insight
20 about the bill. Ah, you might have her, Commissioner
21 Mostofi's testimony, but all green lights there.

22 COMMISSIONER MOSTOFI: Yeah, yeah, yeah.

23 COUNCIL MEMBER MOYA: Thank you,
24 Chairman. And I might have missed, and I apologize,

25

2 ah, for coming in late. But would this allow to have
3 borough commissioners?

4 COMMISSIONER MOSTOFI: Allow you to have
5 borough commissioners?

6 COUNCIL MEMBER MOYA: Yeah, so if you're
7 going from, you're saying from a office to a
8 department, right? Would this then allow you to, ah,
9 bring in borough commissioners?

10 COMMISSIONER MOSTOFI: I don't know. I'm
11 not sure I'm even fully, you mean like staff that can
12 be representative within each borough? I mean, we
13 have that, right? Not commissioners, I think that's
14 where you threw me a little bit [laughs], but we
15 have, we have staff that are, ah, responsible, if you
16 will, for working across different communities that
17 are immigrant-dense communities and being
18 representative of the needs of those communities,
19 so...

20 COUNCIL MEMBER MOYA: You look at, and
21 I'm sorry, I didn't mean to cut you off. But if you
22 look at the Department of Transportation and other
23 departments they have borough commissioners.

24 COMMISSIONER MOSTOFI: Sure.

2 COUNCIL MEMBER MOYA: And so that's why
3 I'm asking, if you're shifting would that be what you
4 would also be bringing in?

5 COMMISSIONER MOSTOFI: I'm, I, well, so
6 it's not my bill [laughs] [inaudible] but I, and I
7 certainly have ideas of what I think works and what I
8 think should be continued past this and built upon.
9 I think that's, that is an idea certainly and one
10 that we should look at and consider.

11 COUNCIL MEMBER MOYA: OK. Thank you.

12 COMMISSIONER MOSTOFI: Thanks.

13 COUNCIL MEMBER MOYA: Thank you.

14 CHAIRPERSON MENCHACA: Do you want to
15 make a statement on your bill?

16 COUNCIL MEMBER MOYA: I'll just make a
17 quick...

18 CHAIRPERSON MENCHACA: Please.

19 COUNCIL MEMBER MOYA: I'll read my
20 statement. Ah, thank you, Chair Menchaca and to the
21 Immigration Committee staff. Ah, I introduced this
22 bill because words matter and the language we use, or
23 choose to use, has power and consequences. It can be
24 used to educate, empower, and unite people, or
25 conversely to dehumanize and divide. That's why I've

1 personally implemented certain community guidelines
2 at my public forums, including specifically on social
3 media platforms. I decided no longer to allow
4 comments that characterize human beings as illegals,
5 a legally meaningless term, ah, a piece of hate
6 speech that's deployed only to intimidate and
7 otherwise not just undocumented immigrants but often
8 legal residents. It's time for the city to retire
9 another term and that's alien. The word alien
10 appears repeatedly in the City Charter and
11 administrative code. This is an outdated and loaded
12 term. It's definition is non-citizen, which is a
13 perfectly clear word that doesn't need to hide behind
14 a euphemism. It therefore has no business existing
15 in our administrative code or City Charter. This
16 bill would replace the term alien with non-citizen
17 wherever it refers to non-citizens in the City
18 Charter and administrative code and would prohibit
19 the city from using the term alien, illegal alien, or
20 illegal immigrant in laws, documents, or materials
21 unless referencing a federal law or program. But
22 this is, this isn't just about replacing one word
23 with another. It's about treating the individuals,
24 these terms described as full human beings. And with
25

1 that I just wanted to thank you, um, all for being
2 here and I would like to encourage you all to support
3 Intro 1636, and now I'll turn it back to Chair
4 Menchaca.
5

6 COMMISSIONER MOSTOFI: I would just love
7 to briefly respond because, Council Member, you
8 weren't here when I spoke. But we are thrilled to
9 see this legislation proposed. We have, it's
10 something that we've actually been working on with
11 the city Human Rights Commission so we hope to expand
12 upon your proposal and looking at other ways, other
13 language to change within the city's human rights
14 law, um, and we look forward to working with you on
15 it. So thank you, thank you.

16 CHAIRPERSON MENCHACA: There are some
17 other bills as well, and I'm glad that there's a lot
18 of alignment there, and I think we're all ready to
19 move forward. So we're looking forward to sitting
20 down and really hammering out the next steps on those
21 pieces of legislation that are presented both by
22 Council Member Moya and Louis. So I might want to
23 just pause and make a statement and move over to the
24 other bills, 1844 and 36, but the, I guess the
25 conversation here, we're, we're at a, we're at a

1
2 standstill in some ways about what we're speaking to
3 in terms of the real value that we're trying to bring
4 into this conversation with codifying, building an
5 agency that can be held accountable. The history of
6 this, and Council Member Dromm mentioned this, that
7 the concept of a budget hearing was new and that came
8 after Melissa Mark-Viverito was elected by her peers
9 as speaker and the mayor came in and it worked.
10 There's, there's no reason why someone, and even now
11 the mayor can say we're not going to want to have a
12 budget hearing with all of you because it's, there is
13 a, an argument to be made that there is no agency and
14 therefore there is no need for a hearing. And we'll
15 fight back, of course, and that's not where we are
16 right now, but there is reason today for even that to
17 happen, and so an agency just on that alone the
18 budget oversight has been critical in growing those
19 numbers of dollars, sometimes without even getting
20 that request from you. We think that there's more
21 money that needs to happen and because of, and
22 especially in my opening remarks, immigrants who are
23 being impacted, when we think about health care it's
24 an immigrant issue. Housing is an immigrant issue.
25 Transportation is an immigrant issue. That, that we,

1 we must build infrastructure to permanent every parts
2 of it, so everything from, from a commissioner that
3 can be held accountable by the charter to bring
4 through a budget to be reviewed transparently is, is
5 a positive thing. The borough concepts of offices in
6 every borough, and every borough is different in
7 terms of what populations exist. Those are all the
8 kind of things that even now when we ask about staff,
9 we don't even get that from you. Those are the
10 things that are not just frustrating, but I think are
11 super concerning and flags that could be solved by an
12 agency. And so while there may be risks that you are
13 presenting that I think are compelling, the ultimate
14 goal here is to codify our commitment to our
15 immigrant community. That is not a side dish. This
16 is the main course for the city as it moves forward
17 in possible dark economic times and it is immigrants
18 who are going to take us through that. And so that,
19 those are the kind of things that are, I think, part
20 of our conversations internally and why we support
21 this discussion and why we're going to be very
22 forceful as we move forward to get those questions
23 answered as we make a final decision.

25 COMMISSIONER MOSTOFI: Sure.

2 CHAIRPERSON MENCHACA: Good.

3 COMMISSIONER MOSTOFI: I don't think
4 we're a side dish. This is the only comment I have.
5 But go ahead. [laughs]

6 CHAIRPERSON MENCHACA: No, well, not you,
7 but immigrants and how we can really make sure that
8 we bring it to core of every discussion and we think
9 this is a way to go. Now, Intro 1844. So as I
10 mentioned in the statement, my opening statement, the
11 purpose of MOOIA's annual report is to provide clear
12 snapshots of the immigrant population that calls the
13 city home. To identify the barriers that they face
14 and to demonstrate a clear data-informed approach to
15 programmatic initiatives that tackle the barriers
16 identified. One goal of this legislation is to
17 codify a connection between the data reported and the
18 annual report and the programmatic work conducted by
19 MOOIA, alone and in partnership, lone and
20 partnership. So here's an illustration of MOOIA's
21 annual report from calender year 2018. On pages 12
22 to 13 there's a data, there's data on the LEP
23 foreign-born population and the languages that they
24 speak. On pages 23 to 24 there is an analysis of the
25 linguistic isolation among children living in mixed-

1 status families. This clearly identifies literacy
2 issues and barriers and that is an important first
3 step. What the report does not make clear, however,
4 is which MOOIA's programs address these specific
5 issues and barriers. The report includes a section
6 on We Speak NYC, which states that in English
7 language learning, ELL program, but the program data
8 included the classes organized, students engaged, and
9 volunteers trained. It does not address the issues
10 and barriers identified in a meaningful way or
11 measurable way. For adult literacy classes it would
12 be more helpful to know how many adults signed up for
13 those classes, attended those classes, completed
14 those classes, signed up for additional classes, any
15 skill level gains, educational attainment, and
16 employment outcomes. That way success or failure
17 could be measured. And I realize that the failure
18 can be scary to admit. But for the sake of our
19 accessibility to taxpayers it is our responsibility
20 to know if a program is not working. The data will
21 help us see if we see, ah, if we need to dedicate
22 existing resources elsewhere. Lastly, it would be
23 helpful to see recommendations based on those
24 metrics. The recommendations section of the last
25

1
2 annual report does not have any recommendations
3 related to literacy. That said, I'll start with
4 these two questions. How does the bill ensure that
5 needs of immigrant New Yorkers are accurately
6 described? And then, two, how does the bill ensure
7 that the important work MOOIA conducts is
8 contextualized within the landscape that I just
9 described?

10 COMMISSIONER MOSTOFI: The bill or the
11 report?

12 CHAIRPERSON MENCHACA: The report.

13 COMMISSIONER MOSTOFI: Um...

14 CHAIRPERSON MENCHACA: The report, yeah.

15 COMMISSIONER MOSTOFI: So, sorry, give me
16 the first question again?

17 CHAIRPERSON MENCHACA: So the language
18 that ensures that the need of immigrant New Yorkers
19 are accurately described. So I kind of walked you
20 through the, the kind of discrepancy and gap of
21 understanding that could lead to, ah, another space
22 of adult literacy, like we just, we, we have
23 different ideas about adult literacy and how we go
24 there. Data that I'm describing does not exist,
25 could actually help us solve some of the policy

1
2 issues around adult literacy where we can really kind
3 of move further. [nycal] comes every year with new
4 ideas and how we do that. But we're still kind of
5 stuck in this discussion about adult literacy. How
6 much adult literacy need do we have in the city and
7 the kind of particular communities that are impacted?
8 Those are things that we would like to see in the
9 annual report, things that MOOIA is working on, and
10 so that's, that's the kind of questions that, that
11 this bill particularly is, is speaking to.

12 COMMISSIONER MOSTOFI: So speaking from
13 that example I'll say a couple of things. First off,
14 as it relates to the report, and you noted this in
15 your introduction, the bill that passed to create the
16 report only had the first report be in 2017, right?
17 We're talking about a report that's less than two
18 years old, and we're talking about data that was
19 presented in that report that actually was never
20 previously even published, let alone something that
21 was utilized, um, across sort of city government and
22 otherwise. And so I think I first want to start by
23 stating how important I think that that is, that it
24 exists, that there be a report that's dedicated to
25 looking at that, but also commending the teams that

1
2 have made it happen. I, I don't, I feel sometimes
3 that there is a lack of understanding or appreciation
4 for just how much, ah, hard work, innovation, and
5 creativity is done not just by my team, but my team
6 working in conjunction with the Mayor's Office for
7 Economic Opportunity, ah, to publish a methodology
8 that looked at even how you get to, ah, undocumented
9 population and then leverage that methodology to
10 provide all of the statistical data that we put in
11 that report. We actually had none of this
12 infrastructure, none of this staff, none of this work
13 that existed in the office before two years ago and I
14 think, I just want to emphasize I appreciate and
15 always emphasize with every, across my team and with
16 others that we're constantly iterating and building
17 on the work, but just how great an accomplishment
18 that is in so short a period of time, um, and it's
19 been iterated on, I mean, there's just two reports,
20 right, and we had the very first conversation with
21 you all even about the report just this summer, much
22 of that feedback being incorporated in the report
23 that we're going to do for the next year, and I think
24 wanting to be realistic about what is the tool that
25 we're creating through this report whereas what

1
2 exists elsewhere and being mindful and thoughtful
3 about not, you know, creating new wheels or
4 duplicating efforts. We've had lots of
5 conversations, for example, about literacy, right?
6 And we took many, many, many steps over a very long
7 period of time to ensure that there was actually an
8 office in the administration that was focused on
9 literacy more broadly and that's the Office for
10 Workforce Development, who has within its scope a
11 purview, and we work closely with them now, but in
12 the last year, right, looking at literacy,
13 understanding the questions that you have presented,
14 right, it is part of what they're doing, um, and we,
15 ah, felt very strongly that that, when you look at
16 limited English proficient New Yorkers that that's
17 not just immigrant New Yorkers, actually, right? Um,
18 but also that it's important that the, that there be,
19 and we agree, right? That there be like an office
20 that's actually looking at and responsible for
21 literacy programming across the administration. So
22 from everything from the Department of Education to
23 the Department for Youth and Community Development to
24 our work with We Speak, etc., um, in an umbrella of
25 better understanding, and we've talked about we're

1
2 working with CUNY on a broader report to understand
3 that spectrum of service across agencies, um, and to
4 better evaluate it. That is different than looking
5 at We Speak, right, alone, or looking at the
6 successes or failures of that program alone. That
7 work should happen and we should be a part of it, and
8 we should be mindful of it, and refer to it, right?
9 But it's not what we have reported on in the report
10 when it relates to that specific program, and we have
11 evaluated the We Speak program. I think, as you
12 know, less than two years ago we presented to you and
13 to your team and the council staff, that evaluation,
14 so, because it helps inform the work that we do with
15 that program, and we took from that evaluation some
16 learnings of what was working and what wasn't
17 [laughs] and we from that built out, ah, a web
18 infrastructure that we built upon even further this
19 year to give people tools that they can use at home.
20 So they're not dependent upon coming to a class,
21 because we have learned that many of our communities
22 work and it's actually hard for them to make the
23 classes, and we need to be more mindful of how
24 learning is happening in the broader education field
25 and that's often actually online. So that's where

1 we've been focused. And so I think there are many,
2 many, many ways to do the work that you're describing
3 and we take very seriously, um, the import of making
4 sure that there is the right entity or agency that's
5 looking at the umbrella view and understanding what
6 our role is within that and can speak further with
7 you about how to either reference that work or be
8 cognizant of it through the report where there's
9 value to it.

11 CHAIRPERSON MENCHACA: And, and we see
12 that value. And, and I want to just reiterate that
13 I, when I think about the accomplishments in the work
14 that you are connected to the report is one of them
15 and we appreciate that. We are, all we're trying to
16 do is make the report better and that includes just
17 data and information and transparency, and so this is
18 where, this is where it's coming from in terms of how
19 we make that. And so we have sat down and we're
20 going to continue to sit down, and that's why these
21 bills I think really require a kind of programmatic
22 reporting to use industry-standard metrics. I think
23 that's the, the other piece that we have spoken to,
24 that, that, allow, allow, especially in the nonprofit
25 sector to kind of look at this information with us

1 and examine that. That's our job, the oversight job,
2 and, and we want that to be made available. And we
3 know that this is a pioneering work. This is your
4 second. You've had two annual reports and, and we
5 know that this is the beginning of kind of evolution
6 of this work and so we, we appreciate that, too.
7 This was a legal mandate by the City Council to kind
8 of do that, which kind of shows where, where we're at
9 and making sure that there's legal framework. MOOIA
10 offers a range of programs from legal services and
11 referrals through ActionNYC to language access. And
12 can you talk a little bit about, a bit about those
13 metrics that are currently used to measure program
14 success and how closer are you getting to the
15 industry-standard metrics?
16

17 COMMISSIONER MOSTOFI: I mean, I think
18 this is a question that we have for you and the
19 staff. What do you mean when you say industry-
20 standard metrics? That, certainly we don't think
21 we're not....

22 CHAIRPERSON MENCHACA: There's, there's
23 a...

24 COMMISSIONER MOSTOFI: Sure, but I think
25 we should have this conversation. I think that there

1 are, from our perspective, certainly there are
2 different ways of looking at how you approach
3 evaluation and not, and we would define or think that
4 they fall under the definition of industry-standard
5 metrics, and so I think it's just making sure that
6 we're aligned. By way of example, we didn't think
7 the way we cited to our methodology was wrong, but
8 you would like to see it cited to in a different way.
9 So we can do that. That's not a big deal. But I
10 think we should sit down and have that conversation
11 to make sure we are at least clear that we are
12 talking about the same thing and then make decisions
13 from there.

14
15 CHAIRPERSON MENCHACA: OK. And, look,
16 I'm, I'm not a researcher, so I, I don't know, but I
17 know that what we have been briefed on and, and made
18 aware of that there, there are industry-standard
19 metrics that can be helpful in actually trying to
20 figure out how to build policy, new legislation, and
21 solve the literacy piece, the legal standards piece,
22 mixed-status families, and how they engage education.
23 So I'm, and I'm relying on our team to help inform me
24 and the broader community of advocates that are with
25 us often, and they're the ones that build our

1 legislative agenda in so many ways. How many of the
2 additional provisions in this legislation, the 1844,
3 are wholly new or onerous to the established ways in
4 which MOOIA internally tracks information and/or
5 prepares data for the annual report? We, we kind of
6 outlined that in 1844 about what kind of things that
7 we want and how many of those things are you feeling
8 like just go kind of above and beyond and are onerous
9 in any way?

11 COMMISSIONER MOSTOFI: I mean, I'd like
12 to get back to you on that one and go back and look,
13 um...

14 CHAIRPERSON MENCHACA: OK.

15 COMMISSIONER MOSTOFI: And sort of see
16 what feels like excessive and maybe not as useful or
17 helpful as other things.

18 CHAIRPERSON MENCHACA: What about data
19 that you're not collecting right now that, that will
20 be, well, I mean, if you can speak to that, if
21 there's anything that kind of pops out about stuff
22 that you're not collecting right now that we're
23 asking you to collect?

24 COMMISSIONER MOSTOFI: Stuff that we're
25 not collecting that you're asking us to collect?

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CHAIRPERSON MENCHACA: Correct.

COMMISSIONER MOSTOFI: Nothing comes to my mind at the moment. Um, I don't know if you're speaking to a specific example that you have that I don't.

CHAIRPERSON MENCHACA: Ah, if there are I'll get them to you. Um, let's, let's move to 1835. 1835, can you describe the administration's goals and visions for the interagency task force, um, you did that a lot actually in the report. The work that we're asking is for more transparency. Some of the stuff that we ask on, in interagency, is not a micro-managing kind of request. It's really to start to build out agendas that are understood and allow for voice. That is different. Interagency conversations are going to be happening whether or not we ask you to do it or not. That's just, it's a natural thing for the administration to kind of speak through these things. We're asking for something very different. And the vision for the interagency conversation and our now our request to have a cochair to really develop an agenda that speaks to the stuff that we think are important, maybe the gaps that are coming out of public hearings can be co-generated by a

1 cochair. Ah, council-appointed cochair. And how
2 does that shift, and is that a, is that a, is that a
3 departure from what you understand interagency task
4 force to be?
5

6 COMMISSIONER MOSTOFI: I mean, the only
7 thing I heard you say that was specific was having a
8 cochair. But what do you mean?

9 CHAIRPERSON MENCHACA: Cochair with, with
10 very specific roles and responsibilities, setting
11 agenda, really kind of being present and, and having
12 discussion among the multiple areas.

13 COMMISSIONER MOSTOFI: But that doesn't
14 speak to your goals for the task force. So if you
15 could be more specific or clearer in what you mean
16 there.

17 CHAIRPERSON MENCHACA: Well, it's about
18 transparency, one. Ah, two, a kind of timely
19 periodic meeting and that it happens and that, that
20 we can kind of be part of that, discussions that
21 might be coming out of those, um, or ah, policy
22 conversations that come out of this might lead to
23 legislation or, or budget, or budget impacts. And so
24 for us we think about this as, as the value of what
25 the interagency task force could have been but is not

1 today. And this is part of the, the kind of drive to
2 change the way that the interagency task force works.

3
4 COMMISSIONER MOSTOFI: Sure. So I'll say
5 a couple of things there. I think, um, first I'll
6 start with the work that we've done and sort of the
7 way that we see the work of the task force moving.
8 Um, I'd say first off as it relates to frequency I
9 don't, again, that this is less than two year old
10 task force, um, that it actually didn't take effect
11 until late 2018 and actually in 2018 we met two
12 times, even though it didn't go into effect until
13 later, and last year we met three times, and I think
14 we've actually stated that we have the goal of
15 meeting quarterly, but want to be conscientious of
16 the fact that we work very closely with many, many,
17 many of the agencies within the task force
18 separately, and that's part of actually what happened
19 last year. We work so much with so many of those
20 agencies on public charge that the frequency of the
21 meeting, we thought three was sufficient, in terms of
22 driving some of the agenda that we had across
23 interagency work. So I don't actually think we have
24 a difference of opinion in terms of the frequency. I
25 do actually think there should be flexibility to what

1 that is, which is what currently exists in the
2 legislation, um, that there is a, a requirement for
3 meeting regardless but that there's no mandate that
4 it must be four versus three. I'm not sure that
5 that's wise necessarily to advance work. In terms of
6 the goals of the task force, I spoke a lot about this
7 in the testimony, um, and I think more broadly even
8 in terms of division of the work of an office of
9 immigrant affairs in general, right? So I think
10 critically, and you noted this as well, you live in a
11 city where the work of every single one of our
12 agencies is impacting immigrant New Yorkers. When
13 you talk about the needs of immigrant New Yorkers
14 they include, as you said, all of the above, right?
15 And so for us, and again this sort of speaks to do
16 you invest more resources in the infrastructure of a
17 department or to you invest within the agency so that
18 they can do this work more effectively, and we really
19 believe you have to, you do a little bit of both, but
20 certainly you invest in the agencies to do this work
21 better. We've seen how the sheer advantage that is
22 created with the administrative, ah, Administration
23 for Children Services and actually having a dedicated
24 office with dedicated staff that's actually
25

1 responsible for doing, to bringing in that
2 immigration lens to the work of that agency, because
3 it's very different when you're in the day to day
4 building your expertise of the work of the agency and
5 how it serves immigrant New Yorkers and working
6 alongside your colleagues in doing that, than having
7 an outside office or department kind of come into
8 your, your work, right? I, I've seen the value add
9 of that be so tremendous that a part of the vision
10 that we brought to the task force is how do you
11 develop that within the task force members to serve
12 that role within their agencies more effectively, so
13 that it doesn't require us hearing from you or from
14 an advocate or a constituent that something isn't
15 going as it should be, but that there's actually
16 staff that's dedicated to doing that work and working
17 with the agencies and its programs and policies on a
18 continuous basis to do that work. Um, so we have
19 constructed some of the goals of the office around
20 essential building that muscle within agencies, how
21 do they approach the work in creating policies and
22 drafting their own, ah, rules in creating or piloting
23 their own programs that center the questions that we
24 would bring to the table without us even being there,
25

1 right? Ah, what tools do we need to create so that
2 they can go there first and not necessarily have to
3 come to us? So we created a portal where we put best
4 practices, or [inaudible] plan, things that people
5 can look at and have looked at or used, um, by way of
6 their, their own work and not having to come to us.
7 Um, we know that something that agencies haven't done
8 necessarily a lot of, for example, is, ah, um,
9 outreach or engagement with communities in a very
10 intentional way. So we've focused on bringing in
11 agencies to share best practices about how they do
12 that work, um, with other agencies, um, and we've
13 heard really tremendous things from agencies and what
14 they get out of those meetings, right? And most of
15 the work is not in the meeting. It is in the
16 aftermath of the meeting, um, as I often say to my
17 team, the work is not in the meeting, have less
18 meetings, do more work, right?

20 CHAIRPERSON MENCHACA: Well, who sets the
21 agenda for those task force meetings?

22 COMMISSIONER MOSTOFI: We take feedback,
23 we take feedback from the agencies.

24 CHAIRPERSON MENCHACA: How does that
25 work? Help me understand the mechanism.

1
2 COMMISSIONER MOSTOFI: So, um, we, one,
3 every task force meeting we remind the task force
4 that we want to hear from them, um, what they need,
5 what would be helpful, what information could we
6 share, what should we present on. We've had, um...

7 CHAIRPERSON MENCHACA: Email, or phone
8 call, or?

9 COMMISSIONER MOSTOFI: Orally and an
10 email, ah, sorry, orally in person and an email. Um,
11 and we have gotten requests from task force members
12 to have, to come present on something to the task
13 force, right, so we'll make space and room for that,
14 um, and we have, um, centered as one of our goals, of
15 course, because of the nature of, um, our work that
16 we will present on policy, federal policy updates, or
17 areas that we want them to be mindful of and as sort
18 of a flag that we're coming to you to work on these
19 issues. So we find it very useful and constructive
20 and positive. I think we're certainly open, as I
21 said previously, I think I said, to, you know, what
22 is the role that the council could play. But I feel
23 strongly that we're, as you said, two years in and
24 part of this is building the muscle of agencies to
25 ask dumb questions, right? To feel like in a safe

1
2 space with their colleagues to be able to say, oh,
3 you do that? Or, oh, I don't have that contract,
4 right? Do I need that contract, right? And have the
5 bigger, the robust conversation. And I really,
6 really, really think that's important. I equally
7 think it's important for you to be able to, you know,
8 hear from agencies. I hope that's happening, and I
9 imagine it is, outside of a task force, but we can
10 certainly talk about informing agenda or coming to
11 present to a meeting or what might be the appropriate
12 role.

13 CHAIRPERSON MENCHACA: Well, let's talk
14 about that, too, because some of what we're thinking
15 about in terms of the agendas are if those agendas
16 are made public in any way or viewable by
17 representatives of the administration or counsel
18 prior to the meetings.

19 COMMISSIONER MOSTOFI: They're not.
20 That's something we can talk about.

21 CHAIRPERSON MENCHACA: Are minutes of the
22 meeting taken?

23 COMMISSIONER MOSTOFI: There are, yep.

24 CHAIRPERSON MENCHACA: And are they
25 shared?

2 COMMISSIONER MOSTOFI: They're shared
3 with all of the agencies.

4 CHAIRPERSON MENCHACA: So that's internal
5 documents, not external documents.

6 COMMISSIONER MOSTOFI: I mean, we report
7 on what the task force did, obviously, in the annual
8 report, um, and so, you know, we can have further
9 conversations about, about that.

10 CHAIRPERSON MENCHACA: And has the task
11 force worked on any of the MOOIA recommendations
12 listed in the 2018 calendar year annual report?

13 COMMISSIONER MOSTOFI: I think I'd have
14 to go back and look at that to be responsive.

15 CHAIRPERSON MENCHACA: MOOIA's 2018
16 annual report states that MOOIA hosted two meetings
17 with the interagency, you just mentioned that, and
18 that the discussions were focused on the purpose of
19 the task force, ah, 2020 census, the barriers to
20 LGBTQIA+ immigrant, ah, immigrants and the barriers
21 that they face, and updates on federal and state
22 developments. Can you tell us money about the
23 barriers the LGBTQIA+ immigrants face that were
24 discussed and whether these discussions led to any
25 changes in policies or strategies and budget needs

1
2 that regard any of the city agencies and the task
3 force?

4 COMMISSIONER MOSTOFI: Sure. I'd have to
5 go back in terms of the, the timelines, honestly,
6 just because I didn't look at this before this
7 meeting, so, um, I can speak for what I have by kind
8 of my memory and understanding of these things. So
9 we presented on these issues. We brought in
10 obviously our city experts that work on these issues
11 who are not a regular part of the task force, um, ah,
12 to come and to share and to talk about the work of
13 the administration as a whole, but also how agencies
14 need to look and approach the way that they, the
15 needs of, of LGBTQI communities and we have as a part
16 of those conversations, ah, we provided, um, one-time
17 funding to a coalition of groups led by the Anti-
18 Violence Project to develop trainings for, um, ah,
19 legal services providers on serving, better serving
20 LGBTQI communities.

21 CHAIRPERSON MENCHACA: Is this like
22 through ActionNYC?

23 COMMISSIONER MOSTOFI: Um-hm.

24 CHAIRPERSON MENCHACA: OK.
25

2 COMMISSIONER MOSTOFI: And, um, so that
3 was one outcome and there was recent, recent
4 trainings, um, that have happened in that regard and
5 certainly that's not just informed by the task force,
6 but from meeting with those groups as well.

7 CHAIRPERSON MENCHACA: Awesome, that's a
8 great example and I want to follow up with, with
9 that.

10 COMMISSIONER MOSTOFI: Sure.

11 CHAIRPERSON MENCHACA: Do the task force
12 meet in, at, at the, in a, at least quarterly in
13 2019?

14 COMMISSIONER MOSTOFI: We met three
15 times.

16 CHAIRPERSON MENCHACA: Three times.

17 COMMISSIONER MOSTOFI: And I said, as I
18 said...

19 CHAIRPERSON MENCHACA: Oh, that was, that
20 was just for 2019, not for 2018 and 2019?

21 COMMISSIONER MOSTOFI: No.

22 CHAIRPERSON MENCHACA: Got it. So three
23 times in 2019. Thank you for clarifying that. And
24 what were the topics of those meetings in 2019?

1
2 COMMISSIONER MOSTOFI: Um, I have some of
3 them. Some of the topics included public charge,
4 which as I said, had many, many more meetings outside
5 of the task force, which is part of the reason we
6 didn't reconvene for a fourth. Um, immigration
7 enforcement, um, more broadly border updates, DACA
8 and TBS proposals. Those are some of the, um, ah,
9 and, and, sorry, rule changes and fee waiver
10 increases. Those are some of the federal policy
11 updates that we talked in more great length about
12 within the task force. Um, program updates, we
13 shared NYC Care, which was a really important sharing
14 and has actually since resulted in a lot of good
15 cross-agency collaboration. Um, IDNYC renewals, um,
16 coming up and activating, ah, agencies to be a part
17 of that effort. Some best practices, I talked about
18 conducting outreach and engaging with communities,
19 additionally the executive order mandating, which
20 we're really happy about, um, the agencies utilize
21 community and ethnic media in doing their marketing
22 efforts.

23 CHAIRPERSON MENCHACA: Awesome. Super
24 robust. And at the end I'm going to ask you, before
25

2 you leave, to let everybody know about the renewal
3 and that they should renew.

4 COMMISSIONER MOSTOFI: Yes.

5 CHAIRPERSON MENCHACA: So we'll come back
6 for that. That's going to be your kind of closing
7 moment.

8 COMMISSIONER MOSTOFI: Sure.

9 CHAIRPERSON MENCHACA: Because I think
10 it's an important PSA to include here. Historically,
11 MOOIA was established within the Department of City
12 Planning and given this context and connection should
13 the Department of City Planning be included as a task
14 force member? Now, I have a personal connection to
15 this question because of what's happening in Sunset
16 Park. I don't know if you've heard or read about
17 something called Industry City in Sunset Park and the
18 impact it's having on our communities, but from your
19 point of view should DCP be included?

20 COMMISSIONER MOSTOFI: We have invited
21 DCP to join. They're one of the additional agencies
22 that we invited to join.

23 CHAIRPERSON MENCHACA: Awesome. Thank
24 you for that.

25 COMMISSIONER MOSTOFI: Sure.

2 CHAIRPERSON MENCHACA: And I'd like to
3 talk to you more about, about that impact, including
4 the kind of displacement questions that immigrants
5 are having and, and where MOOIA can play an integral
6 role in that. Ah, you mentioned in your testimony
7 that you've added nine additional agencies and you
8 just kind of spoke to DCP. What other agencies are
9 you expanding to?

10 COMMISSIONER MOSTOFI: We've included
11 CCHR, DCWP, DCP, um, NDGVB, HPD, um, NYCM, so
12 emergency management, NYCHA, SBS, um, and TLC.

13 CHAIRPERSON MENCHACA: OK. Is that all
14 of them? Are there some, what's the list, it sounds
15 like maybe the list is shorter on the not invited
16 list.

17 COMMISSIONER MOSTOFI: Yeah [laughs].

18 CHAIRPERSON MENCHACA: [laughs]

19 COMMISSIONER MOSTOFI: It's shorter on
20 the non-invited list, that's true.

21 CHAIRPERSON MENCHACA: All right, all
22 right. Look, clearly we...

23 COMMISSIONER MOSTOFI: [laughs]

24 [inaudible] DOI.

1
2 CHAIRPERSON MENCHACA: Why not? Ah, why
3 not? We, we're really concerned about transparency
4 here. And a lot of the questions are really just
5 trying to extract understanding of what's happening
6 and our role in oversight really kind of demands
7 information. And that's why we're here. And
8 accountability, who's accountable for all this? So
9 for us that's, that's what's driving. Both the
10 questions are on the department and, and the task
11 force, and a cochair that can drive an agenda, that
12 can be made public. And I think our community right
13 now really wants to see, and I think depends on that
14 kind of connection and transparency and
15 understanding. One, so they can feel connected to
16 it, but also maybe potentially shape that agenda, and
17 I'm not saying that we're not dedicated to the
18 immigration community, but, but our continual return
19 to the community isn't just in presence, it's also
20 giving space. And I think that's what's driving a
21 lot of the questions, and so I really appreciate
22 that, that, ah, kind of communication, discussion,
23 and dialogue that we're having right now, and we're
24 going to continue to talk about the bills as well.
25 So, I'm done with my questions, and if you can tell

1
2 us all in New York City who are listening right now
3 that we have renewals for IDNYC, I can't believe
4 we're finally here. Mine expires in a few weeks.

5 COMMISSIONER MOSTOFI: Yeah [inaudible]
6 expired [inaudible]. [laughs]

7 CHAIRPERSON MENCHACA: [laughs] And we
8 need them renewed. So tell us a little about that
9 and how important that is.

10 COMMISSIONER MOSTOFI: Sure. So we're
11 really excited, um, and have shared some exciting
12 news. We'll continue to share exciting news about
13 renewal, but, um, this is our first ever renewal, as
14 you said, pioneering is something we do on a daily
15 basis, renewal period, and that means that if you've
16 had your IDNYC since 2015 you might be coming up for
17 renewal sometime soon. So if your card is going to
18 expire in 60 days or less, um, you're in that sweet
19 spot window to start looking at renewal and you can
20 do so in two ways. You can go online, which we've
21 tried to make as easy as possible for folks and we're
22 continue to iterate based on experiences that we're
23 hearing and in person, um, at any of our enrollment
24 centers if that's what you prefer. So, um, we
25 really, and it's free, and we had a whole new slate

1
2 of benefit partners that we're excited about. We're
3 excited to talk about even more to come with the
4 program, um, soon and we encourage everybody to
5 renew. No need to wait. And the new card design is
6 really beautiful.

7 CHAIRPERSON MENCHACA: It is beautiful,
8 absolutely. Ah, how many in here have your IDNYC,
9 raise your hand, in the room? Beautiful, there's
10 some non IDNYC holders. This is an opportunity for
11 you to renew, or to get your first ID. And the
12 second question is how many who have had it have
13 renewed already? OK. Right, all right.

14 COMMISSIONER MOSTOFI: I mean, how many,
15 nobody's card has expired.

16 CHAIRPERSON MENCHACA: No, I know, but
17 we, we're in renewals right now, right?

18 COMMISSIONER MOSTOFI: Yes, but nobody's
19 card has expired.

20 CHAIRPERSON MENCHACA: No one's expired,
21 but everybody can renew.

22 COMMISSIONER MOSTOFI: And you can renew
23 up to six months after your card expires.

24 CHAIRPERSON MENCHACA: OK.
25

2 COMMISSIONER MOSTOFI: So we're making
3 this as easy as possible.

4 CHAIRPERSON MENCHACA: OK, good point.
5 [laughs]

6 COMMISSIONER MOSTOFI: [laughs]

7 CHAIRPERSON MENCHACA: All right, good,
8 and important. Thank you. Awesome. Well, thank
9 you, Commissioner, to you and your team.

10 COMMISSIONER MOSTOFI: Thank you.

11 CHAIRPERSON MENCHACA: And let's keep
12 doing the good work.

13 COMMISSIONER MOSTOFI: OK. Thank you.

14 CHAIRPERSON MENCHACA: Thank you. Happy
15 New Year.

16 COMMISSIONER MOSTOFI: Happy New Year.

17 CHAIRPERSON MENCHACA: We have two
18 members of the community who want to speak on the
19 topics that we are discussing today, and anything
20 else you want to talk about actually. Ah, we have
21 the Coalition for Asian American Children and
22 Families, Haley Yee, if you can come. Alvia Mata
23 from the Translatinx Network, if you could come up.
24 And is there anyone else that is inspired to speak
25 today, wants to come and say a few words, ask

1 questions of me or of the committee? Come on up and
2 we'll have you fill out a form. One last call. OK,
3 come on up, come on up. And the Sergeant at Arms
4 here will give you a form to fill out. Thank you so
5 much for your patience in this discussion. I know
6 the questions were and the discussion were kind of
7 administrative in many ways, but we're really excited
8 for you to be here to talk about any one of these
9 topics or anything related to the immigrant
10 community. And if we can start here to my right,
11 your left. And, again, make sure that the mic is
12 close to you and that the light, as you press the
13 button, is on, and you're good to go.

14
15 ALVIA MATA: Good afternoon, Chair
16 Menchaca and council members and staff of the
17 Committee on Immigration. My name is Alvia Mata. My
18 pronouns are she, her, hers, and I am the outreach
19 and benefits coordinator at Translatinx Network.
20 Since 2007 under the direction of Christina Herrera,
21 Translatinx Network has been providing services to
22 the LGBTQ community with a focus on transgender,
23 nonbinary, and gender nonconforming individuals. We
24 provide client-centered, evidenced-based services
25 that help our members become economically self-

1 sufficient, civically engaged, socially connected,
2 safe, and healthy. In addition, as we work locally
3 and nationally to ensure the human rights of all
4 people, regardless of gender identity or immigration
5 status, some of the most notable and successful
6 problems are through our community legal clinic.
7 Clients have been approved for asylum, received
8 visas, gotten name and gender marker changes,
9 successfully petitioned to remain stably housed, and
10 resolved consumer issues. In fact, many clients have
11 been relieved that they have, they now can not
12 disclose their gender identity through the IDNYC
13 card, thanks to the work of the City Council.
14 Through our TGNC bridge program, nearly a dozen of
15 our peer leaders provide seven cultural competency
16 trainings to 150 police officers in two precincts in
17 Queens and two in Manhattan. ESL classes and
18 linguistically appropriate peer support offer our
19 clients access to English language skills and
20 translation services that address their unique needs
21 as people of TGNCNB experience. Having dignity in
22 language can reduce miscommunication with medical
23 immigration and other officials. Of course, we also
24 vital programs necessary to keep our community safe,
25

1
2 HIV and STD testing, access to PrEP and PEP, condoms,
3 and safer sex kits, and seamless referrals to
4 healthcare providers. As a daughter of immigrants,
5 the hardships that I have seen my parents and those
6 of my community go through upon the arrival of this
7 country are numerous and arduous. These can be
8 insurmountable when we speak of the experience of
9 TGNC and NB immigrants members within Translatinx
10 Network. Our members' needs are not foreign. Our
11 members are simply looking for the same dignity,
12 respect, opportunities afforded to all New Yorkers.
13 Our members want a seat at the table. Thank you,
14 Chair Menchaca and council members and staff of the
15 committee. Translatinx Network is here to partner
16 with the council and all its members in whatever ways
17 serve our constituents. I am happy to answer any
18 questions you may have, and you may contact me as
19 well. Thank you.

20 CHAIRPERSON MENCHACA: Thank you. And
21 maybe, maybe just one question to start as we move
22 through the panel is anything that you wanted to
23 respond to in terms of the back-and-forth with the
24 commissioner and the council members. Is there
25 anything that kind of popped up in terms of an

1
2 opportunity that you might see or something you want
3 to highlight?

4 AVILA MATA: Yes, um, actually, um, in
5 terms of speaking about, um, LGBTQ, ah, IA issues I
6 think it's important, as you mentioned, housing,
7 education, are all also immigrant issues. But I
8 think it's also important to speak about decrim,
9 decriminalization of sex work. This is also an
10 immigrant issue particular to our community, um, but
11 overall, ah, it is considered an immigrant issue
12 because any persecution with sex work can lead to
13 impediments in, ah, obtaining a legal status in the
14 US. So yes, absolutely.

15 CHAIRPERSON MENCHACA: Thank you for
16 that. And that's definitely not just on our kind of
17 larger grouping of agenda items that impact immigrant
18 community but part of a kind of a statewide
19 discussion, too, on reform that's happening up there,
20 too. And that is also informing our statewide
21 agenda, and we're working with you and so many other
22 advocates on how to continue that discussion. That
23 just has been difficult for us to move agencies like
24 the NYPD, and even some of the DAs as well. They're
25 not all on the same page, ah, so thank you for, for

1
2 lifting that voice up here today. Thank you. If
3 you'd like to introduce yourself and give any
4 testimony.

5 HALEY YEE: Of course. So thank you,
6 Chair Menchaca and the Committee on Immigration for
7 convening this hearing. My name is Haley Yee, policy
8 coordinator of the Coalition for Asian American
9 Children and Families, or CACF. And we are here
10 today on behalf of the Asian Pacific American
11 immigrant community of New York City. CACF is
12 building a community too powerful to ignore. Since
13 1986 we have been the nation's only pan Asian
14 children and families advocacy organization that
15 leads the fight for improved and equitable policies,
16 systems, funding, and services to support
17 marginalized American Pacific, Asian Pacific American
18 children and families, or APA. Currently Asian
19 Americans are by percentage the fastest-growing
20 community in New York. Of the 1.6 million Asian New
21 Yorkers in the state, approximately 80% live in the
22 New York City metropolitan area, nearly doubling
23 every decade since 1970. They make up 15% of the
24 city's and 10% of the state's population. In fact,
25 New York City has the largest APA population of any

1 US city. Yet the needs of the APA community are
2 often overlooked, misunderstood, and uncounted,
3 constantly fighting the harmful impacts of the model
4 minority myth, which prevent the community's needs
5 from being acknowledged and understood. This mean
6 that our communities, as well as the organizations
7 that serve the community, often lack the resources to
8 provide critical services for those in need. We work
9 with almost 50 member organizations to identify and
10 speak out on common challenges and needs across the
11 APA community. APAs hail from south, southeast,
12 east, and central Asian countries, as well as from
13 the Pacific Islands. In NYC we represent over 40
14 ethnicities, tens of languages and religions, and a
15 multitude of cultures and immigrant experiences. Of
16 this group, over 70% are foreign-born, making
17 immigration issues particularly salient for our
18 community. On behalf of the almost 50 Asian-led and
19 Asian-serving community and social service
20 organizations that comprise our membership, we
21 respectfully request the City Council to support the
22 legislation introduced here today. CACF particularly
23 supports the expansion of reporting and collection of
24 data outlined in Council Member Dromm's and Chair
25

1
2 Menchaca's legislations. When government agencies
3 collect and issue reports this diverse population is
4 often not mentioned or rather grouped into the
5 generic categories of Asian, other, and sometimes
6 even white. Within the 40% APA subgroups there are
7 unique social, educational, and economic differences
8 associated with each ethnicity that are not being
9 assessed and addressed properly due to insufficient
10 data disaggregation. For decades the APA community
11 has been praised as the [mild]minority America,
12 overrepresented in education success stories, yet
13 simultaneously underrepresented in stories about
14 poverty. The way the data is presented makes it seem
15 as though this stereotype holds true. What it
16 obscures, however, is how unevenly success is
17 distributed among the members of our community, um,
18 based on a number of factors, including ethnic
19 background, socioeconomic status, and immigrant
20 experience. Evidence-based policies and targeted
21 intervention programs are ineffective, without proper
22 needs assessment based on accurate data reports.
23 Data disaggregation efforts are a necessary step
24 towards developing public policy and interventions
25 that respond to the unique needs of historically

1 overlooked and marginalized communities. Inequity in
2 health, education, housing, and more cannot be
3 tackled through the existing lens of heterogeneity.
4 We speak different languages, practice different
5 religions, and come from different cultural
6 backgrounds and the consequence of generalization are
7 severely unequal outcomes. We are by percentage the
8 fastest-growing racial group in New York and the
9 needs of underserved segments of the community
10 outstrips current levels of service. Improved
11 collection, disaggregation, and reporting of data on
12 APAs will improve government efficiency and help city
13 agencies better support our community. Please stand
14 with CACF and those we represent and support these
15 forward-looking pieces of legislation and hear our
16 advocacy groups' concerns. I would like to thank
17 Chair Menchaca and the entire Committee on
18 Immigration for your leadership, and we look forward
19 to working with you all closely moving forward on
20 these pieces.

22 CHAIRPERSON MENCHACA: Thank you, and
23 I'll also give you an opportunity to, ah, any, any
24 kind of comments you want to make.

1
2 HALEY YEE: Yeah, so, um, while credit is
3 due to MOOIA, we believe that expanding the functions
4 of MOOIA into a department would actually allow for
5 the city to meet growing needs of a growing immigrant
6 population. Um, so, giving them their credit, but
7 also supporting the expansion of supports,
8 oversights, outreach, and just so much more that
9 could be given to our communities through a full
10 agency.

11 CHAIRPERSON MENCHACA: I don't disagree
12 with you in the, in the way that you kind of
13 formulated that, the, ah, the kind of feedback that
14 good work has happened, and yet even with good work
15 there might still be a massive gap actually...

16 HALEY YEE: Yes.

17 CHAIRPERSON MENCHACA: ...to the needs of
18 so many different communities and as immigration
19 becomes an intersectional conversation, when we think
20 about LGBTQI+ communities and multiple language
21 issues and language access issues it becomes a
22 greater need, and we're probably still at the tip of
23 the iceberg in terms of what kind of resources need
24 to happen and, and an agency might be the way
25 through, through that.

2 HALEY YEE: ABSOLUTELY.

3 CHAIRPERSON MENCHACA: And so thank you
4 for that, for that comment.

5 HALEY YEE: Yeah, thank you.

6 CHAIRPERSON MENCHACA: And Ms. Thomas, if
7 you can introduce yourself and make any and all
8 comments you'd like to make.

9 HELEN THOMAS: Yes, hi. My name is Helen
10 Thomas. I am a citizen of New York City, and as I
11 was sitting here, this is a new opportunity for me
12 and I decided that this year I was going to make sure
13 that I did find out exactly what was going on with
14 some of the situations and concerns that the city is
15 bringing to fore. And I am somewhat concerned, and
16 the reason why I am concerned is that as a
17 [inaudible] born American and New Yorker, ah, I
18 really have issue with the fact that we are seemingly
19 become some type of city-state within the United
20 States. We are separating ourselves from the rest of
21 the citizens in this country based on, um, you know,
22 bifurcation and just a lot of, ah, situations that
23 seem to be separating as opposed to bringing us
24 together as a nation. We are one nation and
25 regardless of where you came from and what your

1 current situation is, you are in this context. You
2 have to remember that there are those of us who have
3 been here for a long time and we fought the
4 opportunity for those of you who have come here
5 since, um, for your opportunity to step on our backs
6 and have the opportunity to speak out and say we want
7 our little share. Um, understand that I have empathy
8 for individuals, but I think that the council is
9 somewhat disingenuous in saying that 40% of the
10 individuals in this city are foreign-born. Well,
11 that's probably true. But the question is, being
12 foreign-born and then how many are naturalized or
13 have visa and green cards? How many of those
14 individuals are living here in a way that is legal,
15 um, that is not in the same way that you're kind of
16 saying, well, 40% of the individuals and they need
17 all these, ah, this assistance. The question then
18 becomes are you being disingenuous by saying 40% of
19 the people are foreign-born, because I know that
20 there are individuals who are within that 40%,
21 naturalized citizens, which changes the narrative.
22 And I would think that probably about at least half
23 of those individuals are probably naturalized or have
24 green cards or visas. Now, that would leave like 20%

1 individuals who are not legally here, and I say that
2 because a law is legal and if you're not here legally
3 you, um, have an issue. My issue with that is that
4 when you were speaking of the, of the sex trade, OK,
5 I don't want my children to be in a situation where
6 they are exposed to sex trade as a legal job. That's
7 not what I want for their lives, OK? Um, I'm sorry,
8 it may sound a little cold-blooded, but I don't want
9 my children, my grandchildren, my neighbor's children
10 to have to feel like, you know, that's a legal way to
11 make money. It's not a safe occupation. It's not a
12 good occupation. And individuals, I believe, should
13 look to other avenues to be productive. Um, I'm just
14 looking at the issues and I'm saying as an American
15 citizen, I've been through civil rights, I've
16 marched, I've done all of this stuff and made it
17 possible for my father to finally vote, and now I'm
18 going to sit back and allow individuals who don't
19 feel that the legal system here really works, um, I
20 did all that to become part of the infrastructure,
21 not to speak separately about, you know, I need
22 separate, you know, consideration. I want to be part
23 of the structure. And so we have to keep in mind
24 that there are individuals who are challenged by what
25

1 you're talking about and doing. It's about money.
2
3 It's not just about numbers, but it is about money
4 and we have to understand that that money comes from
5 my pocket, my husband's pocket, um, and the, the
6 people in this city who are working, and when you
7 talk about state and federal it comes from other
8 individuals' pockets. So I'm just a little bit
9 concerned that you're being disingenuous and not
10 really talking about some of the really vital issues
11 that not only affect the specific individuals'
12 groups, but how do we look at the possibility of
13 making us whole again, because we're not whole at
14 this point, and individuals such as myself who is
15 what commonly is called a conservative, and I believe
16 in conservatism because it saves human life, um, we
17 feel a little bit left out and pushed over to the
18 side and at the same time it's our, um, resources
19 that are being used and utilized to, you know, help
20 other individuals without us getting any benefit from
21 it or us being silenced. So that, that's my real
22 concern. Now, you'll be seeing more of me, um, in
23 these hearings because I think that there needs to be
24 another voice, and I think that there needs to be
25 someone who's willing to step up and say, OK, I

1 understand your issues as a human being, but there's
2 some things that cross the line of what really needs
3 to be done for individuals.

4
5 CHAIRPERSON MENCHACA: Thank you.

6 HELEN THOMAS: And that includes, you
7 know, the free classes for English speaking, I
8 believe that that's one of the unifications of a
9 community and if we don't have that, if I'm not able
10 to talk to you I can't help you, OK? The same thing
11 with children who are here without parents, um, how
12 do we make sure that they're safe, because they're
13 not always safe if they're not here with someone
14 who's going to watch over them, because a lot of
15 them, from what I understand, that a lot of the
16 children that have come over are not with individuals
17 who are related to them and they've been used as
18 pawns to get in here and, you know, um, use our
19 resources. So I'm, I'm concerned about those things.
20 I'm concerned about the quality of life in this city
21 that should be at an acceptable level for everybody.
22 So, as I said, you'll probably be seeing me quite a
23 bit more, um, because I think that somebody needs to
24 voice concerns that may not necessarily make a person
25

1
2 feel very comfortable, but we have to think about how
3 it affects everyone. Thank you.

4 CHAIRPERSON MENCHACA: Well, thank you,
5 thank you, Ms. Thomas, for, ah, for speaking your
6 truth, and I think what, what's important here is
7 that you feel comfortable speaking that and the City
8 Council is ready, willing, and able to ensure that
9 these spaces are for everyone and part of what is
10 important in this discussion is that we, we speak our
11 truth but we also understand through data what, what
12 is real, in terms of the information, and so I hope
13 that we both continue to learn from each other and
14 this committee and the work that the staff are doing
15 constantly to understand. So much of the
16 conversations that we were have today with, with the
17 commissioner was about information. It was about
18 understanding that actual impact that a municipal
19 government, which is different from the state, it has
20 different powers, that is different from the federal
21 government, that have different powers, and budgetary
22 opportunities and responsibilities. I believe here
23 in the City of New York we have a, we have a mandate
24 to really protect every, every soul here in the city
25 to ensure that people can feel connected and, like

1
2 you said, the wholeness of our communities is what is
3 at stake and what is driving us. The, the fact that
4 we do have many immigrants, and I do want to give you
5 a sense of, the approximately 56.2% of immigrant New
6 Yorkers are naturalized, ah, citizens.

7 HELEN THOMAS: How many?

8 CHAIRPERSON MENCHACA: 56%.

9 HELEN THOMAS: So, so that reduces the
10 number of foreign-born, you know, because the way
11 that that is presented...

12 CHAIRPERSON MENCHACA: Well, nothing is
13 going to remove the foreign-born component.

14 HELEN THOMAS: OK.

15 CHAIRPERSON MENCHACA: But, but I'll give
16 you the second part, which is an estimated 660,000
17 immigrant New Yorkers who are lawful permanent
18 residents, those are green card holders, are
19 potentially eligible to naturalize. So that's the
20 other piece that we struggle with here in the city is
21 getting that legal path to citizenship and access to
22 those lawyers that can help them get that. Ah, like
23 you said, there are laws. Now, we can talk about my,
24 ah, my kind of critique on the laws that I think that
25 they're, they're broken, but the laws today are, are

1
2 giving an estimation of a large population in the
3 city that just don't have the understanding the
4 access...

5 HELEN THOMAS: Understood.

6 CHAIRPERSON MENCHACA: ...to get the
7 lawyer to get naturalized and become a citizen, and
8 those are the things that we're working on all the
9 time here in the city just to ensure that our
10 neighborhoods get access to those, those kind of
11 services that can lead them to a powerful voice like
12 citizenship, that can get them a, an opportunity to
13 vote and be part of, part of the system, and so I
14 think that there's a lot of common ground here in
15 terms of the welfare, the general welfare, of our
16 communities and what we're trying to do is really
17 allow for a space like an immigration committee to
18 highlight one community because we have so many
19 different, ah, council committees that focus on
20 transportation, for example, or homelessness, or
21 mental health care, and so, that gives us an
22 opportunity to dive deeper. And so I welcome you
23 back to this conversation and whatever we have, every
24 month we have, we'll have a public hearing and, and I
25 invite you back to, to be part of this discussion and

1
2 wherever your kind of political, ah, thoughts are,
3 we'll, I'll take them all.

4 HELEN THOMAS: Well, once again, thank
5 you very much for that response. Um, once again,
6 you're saying that 52% are naturalized citizens?

7 CHAIRPERSON MENCHACA: Correct.

8 HELEN THOMAS: Of that 40%? 52% of that
9 40%, right? And how many are on the path to, ah...

10 CHAIRPERSON MENCHACA: 660,000 immigrant
11 New Yorkers are lawful permanent residents.

12 HELEN THOMAS: Right.

13 CHAIRPERSON MENCHACA: And are
14 potentially eligible to naturalize.

15 HELEN THOMAS: So that's about what,
16 another 10% to 15% of that 40%.

17 CHAIRPERSON MENCHACA: Um-hmm, um-hmm.

18 HELEN THOMAS: So, what I'm saying is
19 that is disingenuous to say that, oh, 40% of the
20 citizens in New York City are foreign-born and, you
21 know, and they're, they're really desperate to be a
22 part. They're already a part. A lot of them, even
23 though they're foreign-born, they're naturalized
24 American citizens.

25 CHAIRPERSON MENCHACA: Right.

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2 HELEN THOMAS: And they're probably not
3 having the issues that a lot of you guys are talking
4 about. They're probably very well-spoken in English.
5 They're probably very productive in what they do, and
6 they're not hiding in the shadows, as so many people
7 say. So we've got to stop being disingenuous,
8 pretending like, you know, kind of like not telling
9 the, because that's not transparency.

10 CHAIRPERSON MENCHACA: Hmm, hmm, OK.

11 HELEN THOMAS: That to, to say that 40%
12 of the people are, you know, foreign-born, but not to
13 say that not that full percentage of individuals is
14 scrambling in the shadows, OK, that's not true. The
15 truth is that there's a very much smaller percentage
16 of individuals who are not being, um, recognized
17 within the system as being legally, ah, able to
18 participate fully and that means that, number one,
19 it's going to cut your budget, OK, it's going to cut
20 back on the number of individuals that you need to
21 help them. So let's be real about what's going on
22 and, um, what really is needed.

23 CHAIRPERSON MENCHACA: Well, I get you,
24 and so what I want to do is I want to continue this
25 conversation, and...

2 HELEN THOMAS: Sure.

3 CHAIRPERSON MENCHACA: ...the MOOIA
4 report, the Mayor's Office of Immigrant Affairs
5 annual report, which was in discussion today about
6 some of the data, and we only have two data, two
7 years of data, would be a great place for, for you to
8 kind of just dive deep and understand the kind of
9 statistics...

10 HELEN THOMAS: Absolutely.

11 CHAIRPERSON MENCHACA: ...that we are
12 capturing right now. We want more statistics, which
13 is what the conversation was today with MOOIA.

14 HELEN THOMAS: [inaudible] am I.

15 CHAIRPERSON MENCHACA: And I'll give this
16 to you...

17 HELEN THOMAS: Oh, OK.

18 CHAIRPERSON MENCHACA: ...so that you can
19 take it and have it, and, and again, we'll have these
20 monthly discussions. But I, I think what one of the
21 things that are important are that, ah, all immigrant
22 New Yorkers are facing some, some or many different
23 issues and the question that we're having here is how
24 do we make sure that everyone participates in the
25 creation of government and how government responds.

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2 And my, my philosophy, which might be different from
3 yours or anyone else in this room, is to take care of
4 the most vulnerable. And that comes in different
5 fashions, and to allow for the most vulnerable New
6 Yorkers to be able to speak their mind, to be able to
7 speak their truth, and to be able to understand, for
8 us to be able to understand those needs. And that is
9 the role of our, of our city, I believe, and those
10 are the kind of things that, that we discuss in this
11 space, and, and I invite you to keep coming back and
12 learning together about what, what those needs are
13 and, and what responsibility does government have to
14 address those needs, and government often feels like
15 a distant, ah, entity, but at the end of the day it's
16 us. It's us. It's our people. It's our
17 communities. And, and we, we have to make that not
18 only clear but more felt in our neighborhoods, so
19 that things like participatory budgeting, for
20 example, you may not know about that, in terms of
21 communities coming together and making decisions on
22 budget decisions, on capital improvements to parks
23 and schools, that's it's the community that is rising
24 up and no matter your immigration status, kids as
25 young as fourth and fifth grade can actually vote in

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2 their community and how to, how to choose where to
3 spend a million dollars of capital improvements to
4 city, city infrastructure, again, like parks,
5 streets, schools, that they can join in and learn
6 about how their government works so that we can, we
7 can have better government. Better government comes
8 from more participation from everyone, no matter
9 what, no matter what. Ah, we are going to end this,
10 this, this discussion here today, but I welcome you
11 back and thank you all for coming in. And on the
12 kind of advocate, the kind of advocate, if you have
13 any kind of final comments to make, please.

14 AVILA MATA: If I may.

15 CHAIRPERSON MENCHACA: Just make sure
16 that your, ah, your light is on as well.

17 AVILA MATA: OK, yes, it's on.

18 CHAIRPERSON MENCHACA: Oh, it's on, good.

19 AVILA MATA: Ms. Thomas, um, I'd like to
20 acknowledge your concern, um, and a response to that
21 concern. Um, the idea of decrim, decriminalization,
22 of sex work is not to make sex work a viable option.
23 Um, more it is a way to have, ah, sex workers become
24 part of the structure. Um, in order for, ah, either
25 past sex work or current sex work to not affect, ah,

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2 perhaps, ah, ah, a legalization process, ah, to not
3 affect, um, their needs, whether they be, um, legal,
4 medical, or, ah, educational. So decriminalization
5 is not looking, ah, to be, um, the only way. Um,
6 however, it might just be a safer way.

7 CHAIRPERSON MENCHACA: Thank you, Ms.
8 Mata, for that, that response and that dialogue, and
9 let's continue this dialogue because I think there's
10 a lot of education that we can have just by
11 discussing these issues and to do it in a forum there
12 that's transparent and connected to our communities
13 through social media, etc. So thank you all for
14 being here today, for being honest, for speaking your
15 truth, and that's how we get and move forward
16 together. So thank you. [gavel]

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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 January 12, 2020