



Office of
Immigrant Affairs
Nisha Agarwal
Commissioner

January 27, 2015

Testimony of Commissioner Nisha Agarwal

NYC Mayor's Office of Immigrant Affairs

Before a hearing of the New York City Council Committee on Immigration:

“How can the City support ethnic media to ensure that immigrant communities receive information on local matters?”



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Thank you to Speaker Mark-Viverito, Chair Menchaca, and the members of the Committee on Immigration. My name is Nisha Agarwal, and I am the Commissioner of the Mayor's Office of Immigrant Affairs.

New York City is the most diverse city in the country. New Yorkers speak over 200 languages. While this multilingual mosaic is a huge asset, it also presents a challenge for government to serve New Yorkers who are not proficient in English. Approximately 23% of all New York City residents, or 1.8 million New Yorkers, speak a language other than English at home and have a limited ability to read, speak, write, or understand English. Communicating effectively with this population is mandated on the federal and state levels and locally with Executive Order 120, Local Law 73, and others.

Not only are government agencies bound by law to provide equal access to information and services regardless of language, the de Blasio Administration is committed to making sure that all New Yorkers who are not proficient in English have access to needed City services. Simply stated, the City should speak the language of its residents.

To implement the Mayor's vision, my office has developed a comprehensive approach to language access. We have engaged senior staff at City agencies in a sustained effort, and we have created a new, senior-level position at MOIA, the Executive Director of Language Access Initiatives, to oversee the implementation and coordination of citywide language access compliance and programming.

One component of our comprehensive vision of language access is to support agencies in outreach to limited English proficient New Yorkers with important information about the services and resources for which they may be eligible. Engaging the ethnic and community media is a key strategy in this effort.

Many people who don't speak English rely on native-language print, radio, and online news outlets for news and information about government services and resources. Many other residents—of all language abilities—turn to local, independent news outlets that focus on their neighborhoods. New York City is a remarkably rich hub of ethnic and community media, with an estimated 270 ethnic and community newspapers that have a combined readership of about 4.5 million New Yorkers,¹ as well as a number of foreign-language radio and TV broadcast outlets. The city's range of ethnic media is a crucial connector in the lives of New Yorkers. The large, mainstream newspapers and TV and radio stations simply do not have the same reach and resonance in immigrant communities as do many of the smaller local papers or neighborhood-based websites.

In recognition of the importance of ethnic and community media in reaching New Yorkers, the City government under the de Blasio Administration has increased the proportion of advertising

¹ CUNY Center for Community and Ethnic Media, *Getting the Word Out (Or Not): How and Where New York City Advertises*, <http://cdn.journalism.cuny.edu/blogs.dir/601/files/2013/03/CCEMAdvertisingReport.pdf>.

dollars spent on placements in those outlets. In FY2015, nearly 20% of City government advertising expenditures were in ethnic media, accounting for roughly \$1.1 million. This represents a higher proportion of advertising expenditures than in recent years, and indicates greater awareness among City agencies of the important benefits of engaging ethnic and community media.

For example, I would like to describe several of the Administration's recent public campaigns that have included significant ethnic and community media advertising to successfully reach their target audiences.

In 2014, my office, with support from the Young Men's Initiative, ran a public education and advertising campaign to help young immigrant New Yorkers learn about and apply for Deferred Action for Childhood Arrivals (DACA). DACA is an important form of temporary protection from deportation and source of work authorization, among other benefits, for immigrants who came to the United States as children and meet eligibility criteria related to education and public safety. One hundred percent of the approximately \$89,000 spent on print and radio advertising was allocated to ethnic media, with 40 print ads in eight languages across 11 publications, and with 200 radio spots in three languages across four stations.

IDNYC, this City's municipal ID card program, is a prime example of a citywide campaign that focused much of the marketing and communications on immigrant communities. The approach with IDNYC included extensive engagement with ethnic and community media, including roundtables, partnerships with organizations like the Hispanic Federation, and work with outlets such as Telemundo, Univision, El Diario, and Radio Wado to create unique opportunities for New Yorkers to learn about the program. Since the program's launch last January, ethnic and community media print ad buys have so far totaled \$340,000, which comprises approximately 64% of the total print buys. IDNYC print ads have appeared in 32 publications, representing 10 languages. Among IDNYC's radio ad buys, more than 33% has been dedicated to ethnic radio stations.

Similarly, the Department of Consumer Affairs has recently been involved in two outreach and educational campaigns: the Paid Sick Leave campaign, which spent 27% of its ad dollars with ethnic media, and the Earned Income Tax Credit campaign, which spent 37% of its ad budget with ethnic media.

To continue to build on recent successes with ethnic and community media, my office has developed three key strategies:

First, we worked with the City Hall Press Office, the City Council Speaker's Office, and the CUNY School of Journalism to create a Directory of Ethnic and Community Media. The Directory is a database of more than 200 TV, radio, print, and digital news outlets covering more than 30 languages. This Directory will help City agency communications staff identify the most effective ways of reaching their intended audiences through articles, editorials, and paid and



Bill de Blasio
Mayor

Office of
Immigrant Affairs

Nisha Agarwal
Commissioner

earned media. This resource will strengthen the Administration's communications reach to all corners of the five boroughs. This Directory is also available to members of the City Council.

Second, my team has already trained the communications departments at City agencies on accessing ethnic media and the importance of making ethnic and community media ad buys to reach all New Yorkers. We will conduct follow-up trainings, starting in March 2016.

And finally, we have for the first time added categories related to ad procurement to the annual internal language access assessment that all City agencies are required to prepare. This change will allow MOIA to better monitor agency-level ethnic media ad buys in their marketing campaigns.

We look forward to working with our public-facing city agencies, the Council, and the ethnic and community media to continue to improve the City's communications with New Yorkers of all backgrounds and languages.

On a separate note, I am pleased to see that the Speaker has introduced a resolution expressing support for President Obama's immigration executive actions. The President's expansion of the existing DACA program and his creation of a new Deferred Action program for parents of U.S. citizen and lawful permanent resident children have been enjoined from implementation by a federal district court in Texas. The federal government's appeal of that injunction is currently before the Supreme Court. The DACA and DAPA programs would provide immense benefits to thousands upon thousands of New York City's immigrant residents, and to the City itself. Mayor de Blasio, together with other mayors and county executives in the Cities for Action coalition, has filed amicus briefs to support the President's executive actions at the District Court and at the Fifth Circuit Court of Appeals, and we will continue to express our support.

"How can the City support ethnic media to ensure that immigrant communities receive information on local matters?" - January 27, 2016

My name is Isseu Diouf Campbell and I'm the founder of Afrikanspot.com, a bilingual (French & English) community-based platform showcasing refreshing images of the African Diaspora living in New York and providing useful information.

Originally from Senegal, West Africa, I moved to New York City nine years ago after living for several years in France. I chose New York because it is a melting pot of diversity and I can proudly say that living here makes me feel at home outside of home.

Thank you for inviting me to testify.

I free-lanced for several ethnic publications such as Le Griot (stopped publishing), The African Sun Times, The Amsterdam News, The Network Journal before launching Afrikanspot in 2009.

We started online before going into print for almost 3 years. During that time, I worked seven days a week partnering with some and paying others to get the job done from covering stories, to editing, translating, working on the layout of the paper, supervising the printing, distributing the newspaper and looking for advertisers. At times when there were not enough ads to print the paper, I would supplement with money earned from photo gigs. We stopped printing for financial reasons and went back online.

Running an ethnic publication in New York has been a bumpy ride because an ethnic outlet is no different from any other business. We are the mom-and-pops of the media industry. We live and work with the community, speak the language and understand the culture.

Nevertheless like any business, we needed capital to start, employees to do the work, market and distribute, and customers to sell our products to.

For many of us, the capital came from our own pocket. We work with limited staff if any, wearing several hats (reporter, editor, photographer, videographer, sales rep...) and often times don't sell enough products (ads) to sustain the business in part because we have for many years been stripped from our potential biggest client in the Big Apple, the City itself.

According to a report published by the Center for Community and Ethnic Media in 2013, the City spends in advertisement about 18 million dollars a year with 82% going to the mainstream media even though 37% of the city's population was born outside the US and the city has a language-access law for its

residents.

For many years, the ethnic media has expressed its frustration and participated to countless meetings and roundtables with no visible change.

Often times, the City has no problem finding the ethnic media in times of crisis or for free advertisement, but when money is involved, nobody seems to know where the ethnic media is. Even though our main goal is to inform and educate our communities, the financial health of our outlet is essential to our survival.

New York City officials are always so proud to talk about the city's diversity and what immigrants bring to the table. It is unfortunate that when it comes to giving to that same group its fair share, there is silence.

We hope that the recommendations that members of the ethnic media will be making today will not fall on deaf ears. It is sad that El Diario had to encounter financial difficulties for this hearing to take place.

If the City really wants to support ethnic media to ensure that immigrant communities receive information on local matters, there must be a change now! If these ethnic media outlets disappear, the City will lose its biggest ally when it comes to reaching out to local communities.

Again, we are the mom-and-pops of the media industry. We live and work with the community, speak the language and understand the culture. And most importantly, we do what we do because we are passionate and we care about communities that are often forgotten.

We recommend:

- Transparency on how the ads are allocated
- A Quota system systematically allocating ads to the ethnic media
- Access to the list of scheduled media campaigns every fiscal year
- Translation of city material

Isseu

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**New York City Council Oversight Hearing: How can
the City support ethnic media to ensure that immigrant communities receive
information on local matters?**

Wednesday, January 27th, 2015

**Testimony by Thanu Yakupitiyage, Communications Manager, New York Immigration
Coalition to the New York City Council Immigration Committee**

Good afternoon, and thank you to the members of the Council for convening this hearing and to the Chair of the Immigration Committee Council Member Carlos Menchaca for his continued leadership for immigrant communities. Thank you for this opportunity to share perspective on this very important issue of the role ethnic media plays for our communities and how the City can support them.

My name is Thanu Yakupitiyage and I am the Communications Manager at the New York Immigration Coalition. The NYIC is an umbrella policy and advocacy organization with nearly 200 members from across New York State, and we aim to achieve a fairer and more just society that values the contributions of immigrants and extends opportunity to all.

As part of my job at the NYIC, I work with hundreds of reporters and media outlets from across the City, State, and Nation. In particular, I am a liaison with dozens of ethnic media reporters in New York who are truly a lifeline for immigrant communities. Without ethnic media who produce and distribute news in Spanish, Urdu, Arabic, Korean, Haitian Creole, Chinese, Polish, Bengali, Nepali, and countless other languages, the New York Immigration Coalition would not be able to make an impact on immigrant communities. It is through our close work with ethnic media and through our strong relationships with reporters from a range of print, broadcast, and radio outlets like SingTao Daily, El Diario La Prensa, Urdu Times, Korea Daily, NTN24, La Invasora 1600, World Journal, Thikana, Univision, Sinovision, Telemundo, Polish Daily News, Epoch Times, El Diario de Mexico, Caribbean Life, NY1 Noticias, and more that we are able to communicate with over 3 million immigrant New Yorkers. Thirty Seven percent of New York City's population is foreign-born, and less than a quarter (or more than 1.8 million) of our residents speak a language other than English in their homes. Ethnic media in New York City serves a population that speaks over 170 languages.

I want to emphasize that ethnic media is not a "niche" market. In a 2013 report from the CUNY Center for Ethnic and Community Media, a close partner of ours, who is also testifying here today, they note that the combined circulation of community and ethnic publications in the city is about 4.5 million, equal to 55% of the population. This means that City agencies and organizations cannot ignore the power that ethnic media has as an informational resource for our communities.

Despite this monumental circulation of information, CCEM reports that when it comes to advertising, 82% of the ad budget of New York City agencies is earmarked for mainstream publications like the New York Times, MetroNY, amNY, New York Daily News, and the New York Post. Ethnic media publications on the other hand only receive



about 18% of the roughly \$18 million the city spends in ads a year to convey messages about health, education, transportation, economic development, and job opportunities in city agencies.

The NYIC's ability to get information out to our communities relies heavily on ethnic media. In 2015 alone, the NYIC was mentioned over four hundred times in ethnic media publications. Just this month our communities have dealt with the news of Immigration and Custom Enforcement (ICE) raids in different parts of the country, where recent Central American arrivals have been detained. The news led to a flurry of rumors based on the fear and trauma for families of possible deportations. The NYIC kept a close eye on potential raids in New York City and State and made sure to be in close contact with ethnic media, particularly Spanish-language media, to confirm or deny reports. There were some cases where the media misreported ICE sightings or raids in New York, further causing panic in communities. As a response, NYIC put together several "know your rights" materials and worked with publications such as Queens Latino to ensure that our communities knew what to do in the event of an ICE raid.

Since 2012, ethnic media has been essential to let New Yorkers know about Deferred Action for Childhood Arrivals (DACA), who can qualify, and who can apply for it. The NYIC has been a leader in coordinating DACA support and trainings in New York City, and we have strategically worked with ethnic media to get information out to our communities. Through our City Council-funded Key to the City Initiative, we provide a broad range of services, including applying for consular identification cards and passports, free immigration legal assistance, and access to a full range of social, educational, health, and financial workshops and services. Since 2011, this Initiative has served over 27,000 New Yorkers from nearly 50 countries, providing more than 16,000 with identity documents and more than 1,000 with immigration legal assistance. The NYIC has relied on ethnic media to get the word out about these vital resources that the Coalition provides with support from the City.

Finally, our work with ethnic media is vital as our communities continue to wait for a decision, now from the U.S Supreme Court, on the delayed executive actions on immigration announced by the President in late 2014. We are working closely with ethnic media to ensure that individuals have the latest information on the court case, where it stands, and what to prepare for. Getting the correct information out to ethnic media in the case of immigration relief is particularly important to ensure that communities are not subject to immigration fraud and unscrupulous providers who misinform immigrants and make false promises of what they can provide.

Without New York City's ethnic media, millions of immigrants would be shut out, left in the dark about programs they can access, changes to city, state, and national policy that affect them, and vital information that impacts their health, education, and livelihoods. The City can continue to strengthen ties with ethnic media by further utilizing these outlets to advertise programs and to ensure that ethnic media reporters are some of the first to receive critical news that impacts immigrant communities. We encourage the city to host roundtables for ethnic media executives and reporters and get to know reporters and what issues their communities are most interested in hearing about. Ethnic media can be the City's eye into what matters most for immigrant communities, a powerful tool that should be taken seriously.



Thank you for your time and your consideration in this matter.

Testimony Resolution 0928-2015

Pamela P. Denzer, Asylum Program Supervisor-
Immigration Equality 40 Exchange Place Ste. 1300 New York, NY 10005

Good morning Speaker Mark-Viverito, Council Members Menchaca, Dromm, Eugene, Koo, and Espinal. Immigration Equality thanks the Speaker and the Council for the opportunity to testify on proposed Resolution 928, which calls on the Supreme Court of the United States to hear and issue a decision on the Department of Justice's appeal of the Fifth Circuit's decision in *Texas vs. United States* during the current term

I am Immigration Equality's Asylum Program Supervisor. We are a national organization providing direct legal services to hundreds of immigrants fleeing persecution on account of their sexual orientation, gender identity, and HIV status. We run a nationally recognized pro bono asylum program that finds volunteer lawyers to provide free representation to immigrants seeking asylum in the United States including many immigrants held in detention centers facing imminent deportation. In addition our policy experts work to change the systems that prevent our community from finding permanent safety. We work with decision makers at every level and advocate for LGBT immigrants when meeting with influential leaders in Washington. We change the policies that hurt our community and advance initiatives that are potentially life-saving.

I am here today to testify that we support the New York City Council passing Resolution No. 928 calling on the Supreme Court to hear and issue a decision on the Department of Justice's appeal of the Fifth Circuit's decision in *Texas vs. United States*. As a legal services organization, we believe President Obama has the authority to issue Executive Orders and he is not abusing his powers or discretion. This is what presidents have done in the past, are tasked to do in order to ensure a functioning government, and will continue to do in future administrations. Presidents Ronald Reagan and George Bush issued Executive Orders that helped millions of immigrants.

In 1985, during the administration of President Reagan, Congress passed a reform bill that shielded some 3 million immigrants from deportation. The bill, however, did not include family members and Reagan responded by halting the deportation of their children without waiting for Congress to act. Similarly,

President George H. W. Bush acted unilaterally to protect families from breakup through deportation when Congress failed to act during his tenure. To give some perspective to the number of Executive Orders issued by past presidents President Regan issued 381 Executive Orders during his Presidential terms, George Bush issued 166; President Clinton issued 364, and President George W. Bush 291. Again, the use of Executive Orders is nothing new and the practice will continue.

Deferred Action is nothing new and should be extended to as many undocumented individuals as possible. In the past it has been granted to New York City immigrants living with serious illness or medical conditions requiring ongoing care including people living with HIV. It has also been granted to survivors of domestic violence, thus offering protection and much needed assistance to immigrants leaving dangerous situations. Ensuring inclusive immigration reform is one of the LGBT movement's top priorities. The Administration must protect our entire community, including the loved ones of LGBT individuals. No one should be left behind. DACA and DAPA will help thousands of undocumented immigrants living in New Yorker City with strong ties to their communities remain with the families and not fear being separated by deportation. For LGBT individuals the fear includes being deported to countries that are homophobic, transphobic, and fundamentally unsafe for LGBT people.

While DACA was a welcomed opportunity for certain LGBT youth, it was not a sufficient solution. When even one member of an LGBT family is undocumented, the ever-present threat of deportation causes anxiety and stress to the entire family. Too many LGBT families have already been torn apart by deportation; deportation can be particularly detrimental to LGBT immigrants because of the pervasive homophobia and transphobia worldwide.

To demonstrate how deportation is especially harmful to LGBT families, Immigration Equality need not look further than our own National Field Officer Marco Quiroga. Marco is a bright and talented 28 year-old gay man who was born in Peru. His mother brought him and his siblings to the United States in 1988, fleeing her abusive husband. After graduating from college, Marco became a gay rights activist who was

granted DACA in April 2013. Marco's older sister Jeannette, who turns 31 this August, was also granted DACA. At the same time, Marco's mother Rosario continues to live undocumented in the United States. The entire family worries every day that she may be deported and torn away from her children and the only home they have known for more than 25 years. If Rosario were removed, Marco might not ever see her again: Peru is too unsafe for gay rights activists.

All too often members of our community are deported to countries where it is fundamentally unsafe for us to live or visit. These deportations cannot continue. We thank the Speaker and the New York City Council for seeking ways to support the vibrant immigrant community that is part of our great city.

Testimony by the New York Legal Assistance Group

Re: Proposed Resolution No. 929-A Resolution calling upon the United States Supreme Court to issue a decision in *United States v. Texas*, which overturns the Fifth Circuit's ruling in *Texas v. United States*, and upholds the implementation of President Obama's expanded DACA and DAPA programs.

Before the New York City Council, Immigration Committee

January 27, 2016

Chairman Menchaca, Council Members, and staff, good afternoon and thank you for the opportunity to speak about Proposed Resolution No. 929-A. My name is Irina Matiychenko, and I am the Director of the Immigrant Protection Unit at the New York Legal Assistance Group (NYLAG), a nonprofit law office dedicated to providing free legal services in civil law matters to low-income New Yorkers. NYLAG serves immigrants, seniors, veterans, the homebound, families facing foreclosure, renters facing eviction, low-income consumers, those in need of government assistance, children in need of special education, domestic violence victims, people with disabilities, patients with chronic illness or disease, low-wage workers, low-income members of the LGBTQ community, Holocaust survivors, as well as others in need of free legal services.

NYLAG is one of the largest immigration service providers in New York City providing representation before Immigration and Family Courts, USCIS and the Board of Immigration Appeals, in federal appeals and at administrative hearings, and handling comprehensive immigration matters including naturalization, adjustment of status and relative petitions, U & T Visas, Special Immigrant Juvenile Status, asylum, and more. NYLAG also has special competency assisting and representing applicants for Deferred Action for Childhood Arrivals

(DACA), helping clients to apply since its creation in 2012. Since then, NYLAG has filed more than 1,200 successful DACA applications, and we understand the importance of this program firsthand. DACA has proven to be an unequivocal success, giving hundreds of thousands of immigrants who came to the U.S. as children the chance to obtain social security numbers, driver's licenses, and jobs with benefits.

NYLAG was thrilled when President Obama announced administrative relief in November 2014, including an expansion of the DACA initiative and a new initiative for the undocumented parents of U.S. citizens, Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA). While not a pathway to citizenship or a green card, those who qualify will no longer live under the threat of deportation, and will be entitled to receive temporary work authorization and other benefits. This will remove a barrier for many hardworking immigrants who have been forced to work under the table, often for appallingly low wages and in substandard conditions. Most importantly, thousands of families who have lived in fear of being separated can now for the first time be assured that parents and children will not be torn apart.

NYLAG currently screens dozens of immigrants each month who have no immigration relief options without the existence of administrative relief. One such person, Monica, came to the U.S. from the Dominican Republic in 2000 on a temporary visa to help care for an elderly aunt with chronic health problems. She stayed after her visa expired and settled in Brooklyn, where she met her husband, who is also undocumented. The couple had two daughters, now 10 and 8. In 2009, Monica's husband was seized by immigration authorities on his way home from a visit with relatives in New Jersey and was deported soon after. Desperate to avoid being deported herself, Monica has lived a life of fear, isolation and poverty, constantly worried that

she will be discovered and taken away from her daughters. Although she had earned a university degree in the Dominican Republic, for the last seven years she was cleaning homes for a living to avoid being asked for the working papers that she does not have. If DAPA were an option, Monica and hundreds of thousands of undocumented immigrants like her would be able to live their lives without the constant fear of deportation, and with the opportunities that come with moving out of the shadows.

The announcement of administrative relief was welcome news for all immigrant advocates who, in the face of continuing inaction by Congress on comprehensive immigration reform, have been calling on the President to exercise his executive power to overhaul our nation's broken immigration system.

For over a year, since the State of Texas, along with 25 other states, filed a lawsuit against the Administration and this order was placed on hold by the Fifth Circuit court, NYLAG attorneys have had an unfortunate task of telling our immigrant clients that they must wait for resolution. With the recent announcement that the Supreme Court will review the Fifth Circuit's decision, NYLAG believes that this decision will be reversed and that the highest court will uphold the President's authority to take action on immigration relief, as Presidents have done time and time again over the past several decades. A reversal of the Texas injunction will mean that immigrants will soon have the opportunity to finally apply for DAPA and expanded DACA.

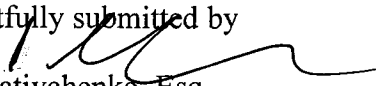
It is critical that immigrants and the agencies that advocate for them are ready to implement the DAPA and expanded DACA programs immediately subsequent to a favorable Supreme Court decision. Considering the uncertainty of the outcome of the upcoming presidential election, it is very important for all potentially eligible immigrants to apply for

extended DACA and DAPA benefits as soon as the program is implemented, especially if a President whose Administration is less friendly to immigrants than the current Administration is elected.

We know the need is there. Due to a series of large-scale clinics throughout all five boroughs, including clinics at the Council's Key to the City events, NYLAG has been able to reach out to thousands of immigrants and screen them for eligibility for expanded DACA and DAPA. As a result, we have created a list of more than 1,000 immigrants who may potentially benefit from a favorable decision by the Supreme Court. We encourage those potentially eligible for expanded DACA and DAPA to continue collecting the necessary documentation in anticipation of a successful appeal of the injunction. We have limited time to act, and NYLAG is ready to assist clients immediately.

Once again I thank the City Council for inviting NYLAG to present testimony today and applaud the New York City Council for putting forth this resolution supporting the President's Executive Action. NYLAG strongly and unequivocally supports Proposed Resolution 929-A.

Respectfully submitted by


Irina Matiychenko, Esq.



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Gale A. Brewer, Borough President

Manhattan Borough President Gale Brewer to the New York City Council Committee on Immigration

January 27, 2016

My name is Gale A. Brewer and I am the Manhattan Borough President. Thank you to Chair Menchaca, Councilwoman Mendez and the Committee on Immigration for holding this hearing and for the opportunity to speak about how we can work with ethnic media sources to ensure a solid line of communication regarding local issues between city government and immigrant communities. As Manhattan Borough President, each month I convene the African Immigrant Task Force, and our ethnic media members, such as Dr. Onyeani of the African Sun Times, play an integral role in ensuring that the Task Force and my office are addressing issues of concern to the African community.

In 2014 *New York Magazine* reported that New York City's ethnic newspapers have a combined circulation of 2.9 million, across 95 ethnic newspapers. In a city where half of our families speak a language other than English, ethnic media play a vital role in how they stay informed. The City must do a better job of supporting these media outlets and their communities in two ways. First, by purchasing space for announcements of public information, such as auctions of city property; second, by informing them of important public policy initiatives or issues that are relevant to immigrant communities.

In two recent examples, city government has not adequately utilized ethnic media to publicize key facts in a timely way about either the recent spate of Immigration and Customs Enforcement (ICE) raids on undocumented refugees or the public health implications of the Zika virus outbreak.

With regard to the immigration raids, it has been widely reported in the mainstream media that since October 2013 an estimated 100,000 adults and children have fled from Honduras, Guatemala, Nicaragua, and other areas of Central America to the United States to escape systemic violence. In response, starting on January 2, 2016, the Department of Homeland Security undertook a series of raids across the country targeting these undocumented Central American refugees and detaining 121 for immediate deportation.

News of these raids caused alarm in New York City neighborhoods as immigrant communities across the country reported ICE raids on homes, businesses, and schools. In order to protect

themselves, city parents began keeping their children home from school and avoiding their jobs. Within a few days it became apparent to immigrant advocacy groups that New York State was not targeted by these raids, and to get correct information out advocacy groups organized emergency conference calls, led “Know Your Rights” workshops, and helped answer questions and calm people’s fears.

Yet it was not until January 6th, 2016 that the Mayor’s Office of Immigrant Affairs released an official statement that New York City was not a target of these raids, failing to partner with local ethnic media in an adequate or timely way, and thereby allowing fear and unfounded rumors to spread. In recent years city government has taken many measures to make New York safe and welcoming for immigrants. It has limited its cooperation with ICE, and launched the groundbreaking municipal ID program that enables all city residents to acquire an official form of identification and ease their access to financial and other services.

Similarly, though the Zika virus outbreak has been an issue of concern for African and Central and South American constituents for months, with Columbia, Ecuador, El Salvador and Jamaica all recommending that women who have traveled to these countries delay pregnancy, mainstream outlets and city agencies have just begun to share information about the virus. This was another opportunity where city offices and agencies could have utilized and invested in ethnic outlets to address a serious cause for concern for large segments of our population

We are missing a key piece of outreach to immigrant communities when we fail to utilize local ethnic media to publicize critical information, support local newspapers, take the pulse of these communities, and address issues of immediate and particular concern to them.

We must and can do better. I call on the administration to increase its outreach and liaison on these issues, but particularly with the media that serve communities of immigrants whose members rely on their native language and news services to stay informed.

I look forward to working with the administration, the Council, and our community boards to address these concerns and help create a more well-formed and inclusive city.

Testimony on Proposed Res. No. 928-A: Calling on the United States Supreme Court to issue a decision in United States v. Texas to uphold the implementation of President Obama's expanded DACA and DAPA programs

**Submitted to
NYC Council, Committee on Immigration**

**Submitted by
Fryda Guedes
Program Coordinator for Immigration & Civic Engagement
Hispanic Federation**

January 27, 2016

Good afternoon, my name is Fryda Guedes and I am the Program Coordinator for Immigration and Civic Engagement at the Hispanic Federation (HF). Chairman Menchaca and members of the Council's Committee on Immigration, on behalf of HF, I thank you for bringing us together today and affording us the opportunity share with the City Council the reasons why New York City must call on the Supreme Court of the United States (SCOTUS) to uphold President Obama's expanded Deferred Action for Childhood Arrivals (DACA) and Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) programs.

HF is the premier Latino membership organization in the nation dedicated to promoting the social, political and economic wellbeing of the Hispanic Community. The Federation represents 100 local, community-based organizations in New York, New Jersey, Connecticut, Pennsylvania and Florida that provide education, health, workforce development and other services to millions of Americans and immigrants annually.

Since its inception in 1990, the Federation has had a legacy of engaging in immigration, evidenced through our work in the Hispanic community and in Washington, DC. On a daily basis, our member agencies teach English, provide health care, promote financial literacy and otherwise ease the integration of immigrants into our society. We support and complement the work of our member agencies by advocating for public policies here in New York and at the federal level.

In November of 2014, after years of Congressional inaction on progressive immigration reform, President Obama announced a series of executive actions on immigration, including expanded DACA and DAPA. These two programs have the potential to change the lives of nearly 5 million immigrants, approximately 200,000 of which live in New York City, providing work authorization and protection from deportation for a period of 3 years on a renewable basis.

The Department of Homeland Security (DHS) was due to begin accepting applications for expanded DACA on February 18, 2015 and for DAPA in May of the same year. However, on February 16, 2015, just days before implementation, a far right-wing federal district court judge temporarily blocked expanded DACA/DAPA from implementation. On that day, our immigrant brothers and sisters took a hard blow, becoming dejected after another major setback. Since then, the pro-immigrant community has been fighting for implementation, for the closest chance at gaining some kind of documentation.

On January 19, 2016, SCOTUS decided to hear Texas vs. United States, giving our community hope once again. As usual, SCOTUS has the fate of millions of hard-working people in their hands, people with heavy ties to the US, either by growing up in the US like any other American, or by having American citizen children.

We know that there are big issues up for decision: whether states had a legal right to sue, or are barred from doing so; whether the policy is illegal because the government did not seek public comment before adopting it; whether expanded DACA/DAPA is “arbitrary” and beyond the president’s powers under federal immigration laws; and whether expanded DACA/DAPA violates the constitutional clause that requires the president to “take care” that the laws passed by Congress are faithfully executed.

However, Hispanic Federation is confident that SCOTUS will uphold expanded DACA/DAPA. There is strong precedent for President Obama’s expanded DACA/DAPA programs. Every US President, since at least 1956, has granted temporary immigration relief to one or more groups in need of assistance. It has been established by Supreme Court precedent that it is within the executive branch’s authority to decide how and when to enforce the law and to exercise prosecutorial discretion.

Hispanic Federation is part of a coalition of 224 immigration, civil rights, labor, and social service groups that filed an amicus brief which urged the Supreme Court to review Texas v. U.S. This important brief highlights the benefits of expanded DACA/DAPA to our immigrant brothers and sisters.

One benefit that cannot be overlooked is the economic benefit expanded DACA/DAPA will bring to the US. As previously mentioned, under these two new administrative relief programs, undocumented individuals would have the opportunity to be granted work authorization. In essence, they would have immediate access to better jobs and improved working conditions since they would no longer have to seek jobs that minimize risk of being deported. They would finally have the ability to work in jobs that meet their educational skills and abilities. In turn, this would increase the earning potential for those with expanded DACA/DAPA. One estimate suggests that those with expanded DACA/DAPA “will experience a labor income increase of \$7.1 billion dollars.”¹

Hispanic Federation and its pro-immigrant allies are hopeful that SCOTUS’ decision, which we expect before the term ends in June 2016, will be positive. We applaud and recognize New York City for its wonderful leadership and support of the immigrant community. We are proud that Mayor de Blasio is a part of Cities United for Immigration Action and has signed NYC on to an amicus brief calling for implementation of these crucial programs. We also applaud the City’s ActionNYC program which will provide legal immigration assistance to thousands of New Yorkers. Hispanic Federation will continue to inform our community about expanded DACA/DAPA and provide legal application assistance once implemented.

Our community is ready to act once SCOTUS gives the green light that will give thousands the opportunity to keep their families together, and work hard and succeed.

Thank you for your time and attention to this important issue.

¹ Dr. Raul Hinojosa-Ojeda with Maksim Wynn, From the Shadows to the Mainstream: Estimating the Economic Impact of Presidential Administrative Action and Comprehensive Immigration Reform, Appendix A at 32 (North American Integration and Development Center, Nov. 21, 2014), available at <http://bit.ly/1QShl90>.

FOR THE RECORD

FOR THE RECORD

TESTIMONY

Proposed Resolution No. 928-A

New York City Council



199 Water Street
New York, NY 10038

January 27, 2016

Contact: Jojo Annobil (212) 577- 3292; jannobil@legal-aid.org
The Legal Aid Society, Civil Practice, Immigration Law Unit

Good morning. My name is Jojo Annobil and I am the Attorney-in-Charge of the Immigration Law Unit at The Legal Aid Society (the Society). I submit this testimony on behalf of the Society and want to thank the New York City Council for taking the initiative to propose resolution 928-A. The resolution requests that the United States Supreme Court issue a decision overturning the Fifth Circuit's ruling in *Texas v. United States*, and allow implementation of the President's Executive Actions of November 20, 2014.

The Legal Aid Society enthusiastically supports the New York City Council's proposed resolution. New York City has always been cognizant of the needs of its vibrant but vulnerable immigrant population. Immigrants add to the creativity and social and economic fabric of this vibrant city and the Society is pleased that the City Council is in support of the President's plan to temporarily protect both immigrants who arrived in the United States before the age of 16 and parents of United States citizens and lawful permanent residents, all of whom have continuously resided in the United States since January 1, 2010.

Organizational Information

The Legal Aid Society, founded 140 years ago to serve New York's immigrant community, is the nation's oldest and largest non-profit legal services provider. The Legal Aid Society is organized into three major practices - Civil, Criminal and Juvenile Rights. Each year, the Society's staff provides free legal services in more than 300, 000 legal matters involving indigent families and individuals in all five boroughs of New York City. The Society is an integral part of the fabric of New York City through its litigation, advocacy and law reform efforts for low-income individuals and their families.

The Society's Civil Practice provides comprehensive legal assistance in legal matters involving housing, foreclosure and homelessness; family law and domestic violence; income and economic security assistance (such as unemployment insurance benefits, federal disability benefits, food stamps, and public assistance); health law; immigration; HIV/AIDS and chronic diseases; elder law for senior citizens; low-wage worker problems; tax law for low-income workers; consumer law; education law; community development opportunities to help clients move out of poverty; and reentry and reintegration matters for clients returning to the community from correctional

facilities. Typically, clients seek assistance from the Civil Practice after exhausting all other avenues for assistance. The Society's Civil Practice is the safety net when all other safety nets fail. During the past year, our Civil Practice worked on more than 45,000 individual cases and legal matters benefiting more than 117,000 low-income children and adults, with an additional two million low-income New Yorkers benefiting from our law reform and class action litigation.

The Society has always maintained a nationally-recognized City-wide Immigration Law Unit (ILU) within its Civil Practice. The ILU specializes in representing non-citizens with criminal convictions in removal proceedings in New York immigration courts, as well as those who are locally detained by the immigration authorities. The ILU's experienced staff also represents immigrants before the United States Citizenship and Immigration Services, in federal court, and on appeals. In addition, the ILU has specialized attorneys who advise the Society's public defenders on the immigration consequences of criminal convictions. Our staff also conducts outreach in immigrant communities and at immigration detention centers, and trains service providers from community-based organizations, State and local agencies and legislative staff.

The Society's experience with the 1986 legalization exercise, the World Trade Center Disaster Relief Initiative, the 2001 Special Registration requirement for Arab men, (National Security Entry-Exit Registration System), the 2010 registration and subsequent re-registration of Haitian nationals for Temporary Protected Status (TPS), the 2012 Deferred Action for Childhood Arrivals (DACA) application process and subsequent DACA renewal applications, and the 2015 Nepal TPS registration events, makes us uniquely qualified to contribute to the discussion on the impact of the Supreme Court's imminent ruling in *Texas v. United States* on New York City residents.

Impact of a Court ruling in favor of implementation of Expanded DACA and DAPA

For the past six years, millions of immigrants have been deported from the United States, many of whom did not pose a threat to national or border security or to public safety. These deportations have separated immigrant families, resulting in broken homes, depression and trauma on family members left behind. Significantly, Congress has since 2002 given lip service to overhauling our broken immigration system to allow those living in the shadows to legalize their presence. The

executive actions announced by the President on November 20, 2014, to temporarily protect from deportation those immigrants who are not an enforcement priority and to offer them work permits is a wise and humane immigration plan. It will allow millions of immigrants to live and work without fear, keep families together and serve the same purpose as possible legislative reform.

Efforts By the Legal Aid Society in Support of Executive Action for Expanded DACA and DAPA:

Screening Clinics

Since the November 20, 2014 announcement of the executive action programs, the Society's Immigration Law Unit has created a comprehensive and coordinated response in anticipation of the overwhelming need for free quality legal services, including:

- 1) Large-scale outreach into immigrant communities in all five boroughs; partnerships with community based organizations and high school guidance counselors; development of informational materials translated into the most common languages (Spanish, French and Chinese); explanation of basic eligibility criteria for the two programs and development of checklists for the documents required to prove eligibility; and a dedicated telephone hotline and email address to answer questions from potential clients; and
- 2) Coordinated with the Society's Pro Bono Department to leverage limited resources to recruit, train and mentor *pro bono* attorneys and law school students to assist in providing application assistance and to staff a dedicated hotline.

Based on our years of experience providing assistance to immigrants, the Society is ready to provide the following services if expanded DACA and DAPA are implemented:

- 1) Coordination with our Pro Bono Department to leverage limited resources to recruit, train and mentor *pro bono* attorneys and law school students to assist in providing application assistance and to staff a dedicated hotline;
- 2) Provide technical assistance to other legal service providers in complex cases, including analyzing criminal arrests and convictions that could disqualify potential DACA and DAPA applicants; and

- 3) Provide free, high-quality application assistance to qualifying individuals, as well as direct representation to those with complicated cases.

The Society will also partner with the Mayor's Office for Immigrant Affairs, other legal services providers, and community based organizations to staff large-scale clinics and ensure that every New York City resident eligible to apply for expanded DACA or DAPA submits a timely and complete application.

Litigation

In December 2015, the Society joined more than 200 civil rights, immigrants and labor rights groups in submitting an amicus brief in support of the government's petition to the Supreme Court to overturn the Fifth Circuit's ruling in *Texas v. United States*. The brief provided personal stories and testimonials about potential beneficiaries of expanded DACA and DAPA, and explained how these deferred action initiatives would positively impact millions of U.S. citizen and lawful permanent resident children, family members, employers, employees and other affected community members. The brief explained that the sweeping injunction upheld in the lower court directly harms people who have either been in the U.S. since they were children or are the parents of U.S. citizens or lawful permanent residents.

How the New York City Council Can Support the Programs if Implemented

The Legal Aid Society sees many opportunities for the New York City Council to continue to enhance its leading role of supporting immigrants who may benefit from these two programs. We offer a few suggestions based on our participation in the Deferred Action for Childhood Arrivals (DACA) initiative since June 2012.

Fees

One area where the New York City Council can make a difference is making it possible for needy clients to pay the DACA and DAPA application fees. During the course of providing information and assisting eligible youth apply for DACA, the Society received several inquiries for a waiver of the \$465 application and biometric fees. Unlike other immigration initiatives, such as Temporary

Protected Status, there is no fee waiver for DACA, and we believe the same will apply to DAPA applicants. Instead, for DACA, the Department of Homeland Security has provided limited fee exemptions for youth with income below 150% of the Federal Poverty Guidelines who are in foster care, have chronic illnesses or have accrued unreimbursed medical expenses above \$10,000 in the 12 months immediately prior to seeking the fee exemption. We anticipate that many DACA and DAPA applicants would not be able to pay the application fees because even if they are working without authorization, they would have limited discretionary income to pay the application fees. Follow-up interviews with DACA-eligible clients we assisted between August 2012 and April 2014 showed that 1 out of every 6 applicants had not yet filed their completed applications simply because they could not afford the filing fees.

To alleviate this problem, the New York City Council should consider providing funding to assist eligible DACA and DAPA applicants who meet certain income criteria and reside in New York City. In 2013 and 2014, the Council provided similar funding for a DACA program administered by the Department of Youth and Community Development (DYCD) that allowed many low-income, eligible DACA applicants to file their applications. Funding would ensure that all qualified DACA and DAPA applicants residing in the City get an opportunity to apply for deferred action.

English as a Second Language (ESL) classes

One of the key requirements for DACA eligibility is that applicants must have a high school diploma, a general equivalency diploma (GED) or be currently enrolled in school. Applicants can satisfy the "currently enrolled" requirement by enrolling in a GED program or an English as a Second Language class or career training program (including vocational training) that is designed to lead to placement in postsecondary education, job training, or employment. Since the DACA application process began in August 2012, our Immigration Law Unit staff have received hundreds of inquiries from potential clients who lack a high school diploma or a general equivalency diploma and are not currently enrolled in school. None of these potential clients can apply for DACA benefits unless they enroll in a GED or an ESL class. Unfortunately, most of these programs are oversubscribed, making it impossible for potential clients to enroll and apply for

DACA. Supplemental City funding for existing or additional programs to reserve a certain percentage of their enrollments for DACA and expanded DACA applicants would undoubtedly make a difference and support eligible beneficiaries.

Criminal Bars to DACA and NYPD's Stop and Frisk Program

Because of the Society's expertise in the intersection between immigration and criminal law, the Immigration Law Unit continues to serve as a clearinghouse in determining whether applicants with prior criminal arrests and convictions should apply for DACA or maybe eligible for expanded DACA or DAPA. As a result of the Stop-and-Frisk policies of the New York City Police Department, which disproportionately targeted immigrant and minority communities, a number of potential applicants may have pled guilty to violations and various minor or non-violent offenses, including trespass and possession of marijuana offenses, which may make them ineligible for DACA or DAPA and other more permanent forms of relief. Even three disorderly conduct convictions (which normally have little if any immigration consequences) render applicants ineligible for these programs. According to the Center for Constitutional Rights, approximately 80% of New Yorkers stopped by the police under the Stop and Frisk policies were Blacks and Hispanics. Under expanded DACA and DAPA, potential applicants who have been convicted of a felony, a significant misdemeanor or multiple misdemeanors would be automatically disqualified. Unfortunately, the broad definition of misdemeanor adopted by the Department of Homeland Security ("DHS") in determining DACA and DAPA eligibility includes many non-criminal offenses from the New York Penal law. Although the DHS, has provided a limited exception for potential clients who can demonstrate "exceptional circumstances" this is often a high bar to overcome.

The Legal Aid Society believes that the New York City Council can play a pivotal role in encouraging District Attorneys in the five boroughs to consider revisiting convictions resulting from the Police Department's Stop-and-Frisk program and other such encounters between the police and residents of this City. In many of these cases, the interest of justice will be better served by allowing potential DACA and DAPA recipients to vacate problematic minor convictions so that

they can come out of the shadows and benefit from this life-changing opportunity, and thereby become more fully-contributing members of our City.

Conclusion

We thank the New York City Council Committee on Immigration for the opportunity to testify about this important matter, and we look forward to further discussions regarding our comments.

The Legal Aid Society

By: Jojo Annobil

Good morning. My name is Karen Pennar and I am Editor of Voices of NY and Co-director of the Center for Community and Ethnic Media at the City University of New York Graduate School of Journalism.

I would like to thank Council member Carlos Menchaca and his colleagues for this opportunity to address the Committee on Immigration of the New York City Council. The subject of this hearing, how the City can support ethnic media to ensure that immigrant communities receive information on local matters, is an important one and we are pleased and honored to be a part of this conversation.

I understand that recent layoffs at El Diario have prompted concerns about its future as a voice for the Latino community in New York City, and that more general concerns about the health and welfare of ethnic media outlets, particularly insofar as they serve the immigrant communities of New York, also are the impetus for this hearing having been scheduled.

Before I comment on the subject of this hearing, I would like to provide a little background on the Center for Community and Ethnic Media. Our center was established at the CUNY J School in 2012, when the school agreed to assume some of the projects of a predecessor organization, the New York Community Media Alliance.

The Center's mission is to promote and represent the work of community and ethnic media outlets in the NY metropolitan area. Our flagship website Voices of NY curates the best work from this media sector, translating when necessary. The Center conducts numerous trainings and workshops for ethnic press, as well as special Newsmaker events with city officials and agency directors. The Center sponsors an annual awards ceremony known as the Ippies, which celebrates the best work of the community and ethnic media. Finally, the Center conducts outreach and publishes research to track the pulse of this sector.

I have been editor of Voices of NY for two years and co-director of the Center for

nearly a year. I would like to note that I have been assisted in my preparation of these remarks by the Center's other co-director, Jehangir Khattak, who has many years of experience in working with the reporters, editors and publishers of New York's diverse ethnic media.

As you well know, nearly 40% of New York City's residents are foreign born, and 1.8 million of them speak little or no English. Nearly half of the residents report speaking a language other than English at home.

It is perhaps unsurprising that a large media sector has developed to meet the needs of these ethnic communities. More than 90 newspapers, and many more magazines, websites, radio and television broadcasters serve the ethnic and immigrant communities of New York, in more than 35 languages. These publications range from venerable ones with a century-old legacy, such as El Diario La Prensa, to relative newcomers such as Khasokhas and White Himal TV, which serve the burgeoning Nepalese community. It should be noted that many of these media outlets, while headquartered in New York City, have a regional and national audience.

The management and structure of these media vary – from mom-and-pop style operations to foreign-owned entities.

While El Diario's recent layoffs have drawn attention, it should be noted that many ethnic media outlets have been facing severe financial challenges for a long time. In recent weeks we at the Center have heard stories about reporting positions going unfilled for months, and about revenues being squeezed as ad buyers postpone payments. Just this month, the daily Nowy Dziennik, which has served the Polish speaking community in the New York metropolitan area for 45 years, shifted to weekly publication.

In order to provide the committee with some useful and possibly actionable information, the Center reached out to some top editors at a sampling of ethnic media outlets over the past few days.

In a survey, we asked the editors: What would be the single most important thing the City could do to help support ethnic media? Here are some of their replies:

- “The city should appoint an ethnic media czar to work with ethnic media”
- “The city should translate press releases for the ethnic media”
- “The city should buy more ads in ethnic media”

These answers represent the three key areas in which, we believe, the City could make some greater effort to support ethnic media.

The first area pertains to outreach. While council members know their constituents well and work closely with them, City Hall and City agencies and departments could probably do a better job of maintaining connections with individual ethnic communities via the ethnic press. More than 70% of our respondents felt that the Mayor’s office and city agencies don’t do enough outreach with ethnic media and provide enough information about matters of importance to immigrant communities.

Fifty five percent of our respondents said they had only “sometimes” been invited to City Hall briefings, and 33% said they had never been.

Naturally, it is impossible to contact people or media whose existence you are not aware of. Still, a more concerted effort to establish regular lines of communication would be a win-win for both sides: The city could promote messaging of various campaigns and efforts such as THRIVE NYC via the ethnic media, while the ethnic media in turn would gain greater access to city representatives. Over time, such relationships cannot help but promote civic engagement.

At our Center, we bring city leaders and the ethnic media together through our Newsmaker programs, but we cannot ensure that relationships between city officials and agencies and the ethnic media are nurtured on an ongoing basis. That is up to the key players themselves.

The second way in which the City could support ethnic media would be to provide easy access to news and information. Translation of every press release that every city agency puts out into all the languages represented in the ethnic media would be a daunting, not to mention expensive task; already the city is making a herculean effort through various agencies to ensure language access.

But what if the city produced a short daily digest of news from City Hall and city agencies and translated that into several languages, and made that available as a daily news feed for the ethnic media? Media of all kinds are always content-hungry, and a ready-made daily digest would be welcomed by the ethnic media.

Finally, ethnic media have been banging the drum, and rightly so, for more ad placements from city agencies and departments. A research study produced by the Center in 2013 found that more than 80% of the city's ad buys were going to mainstream publications such as the New York Times, The Daily News, The New York Post and am NY and MetroNY. Some ethnic media representatives report to us that they have seen an improvement since then, but many still feel shut out, and they are eager for a change in direction.

Ramping up the placement of advertising by city agencies and departments in ethnic media would go a long way toward supporting such media – and, as with the previous suggestions, help promote messaging, an understanding of the city's activities, and civic engagement by immigrants over the long term.

The Mayor's Office of Immigrant Affairs has a history of serving and meeting the needs of the city's immigrant and ethnic communities. But because the number of immigrants, the number of countries from which they arrive, and the number of languages which they speak are so great in New York City, attentiveness to immigrants and ethnic communities needs to cut across all agencies and departments, and to become second nature.

The Center urges the City to do more to promote connections with the ethnic media, and we thank the City Council for this opportunity to speak about this issue.

Brooklyn, January 27th 2016

Members of the NYC Council Committee on Immigration

Ref: How can the City support ethnic media to ensure that immigrant communities receive information on local matters

Our industry is under stress.

Internet is a disruptive technology affecting media business in general but striking harder on printed media, especially in newspaper companies. Disruptive technology changes the value proposition in any industry and has definitely done so in ours.

The value that an audience expects from their news source has changed. They have developed new habits in terms of accessing information, not only news but services and promotions as well. As a result of this change newspaper circulation has fallen dramatically. Our journalistic relevance is at stake.

The value that our advertisers expect from printed ads published in our newspaper has changed. Internet has provided multiple cheaper alternatives to achieve the same commercial results. Consequently they are not willing to pay for printed advertising any longer. Our commercial relevance is at stake.

The only way to survive disruption is to understand the new value we need to provide both to audience and advertisers in order to stay relevant, and then shape our organization accordingly (not the other way round).

This is a challenge faced by all media, both general market and ethnic. We are glad to be here to share our thoughts on how to survive digital disruption in the hope that City institutions will also do so and through mutual cooperation achieve our ultimate goal of ensuring that immigrant communities receive information on local matters.

Our company reaffirms its intention and commitment to achieve the necessary financial sustainability to ensure the continuity of independent quality journalism. This is the only type of journalism that brands with the trajectory and reputation of EL DIARIO are willing to offer the Hispanic community.

We firmly believe that independent journalism can not be made possible without financial solvency. Economic viability not only ensures quality information but enables us the capability to offer services. Most importantly, to become an integral part of the Hispanic community. We are defined and humbled by this vocation.

With the tremendously challenging reality that our industry is facing, this search for financial sustainability has meant taking uncomfortable and painful decisions that are nonetheless justified by the ulterior motive of ensuring the survival of our company and its brands.

In spite of the loss of valuable resources we have succeeded in maintaining the journalistic quality our audience deserves while developing new products and services for the local community.

Proof of this are several recognitions received by EL DIARIO recently like the “Medalla de Oro” (“Gold Medal”) as Best Hispanic publication in the United States awarded by the The National Association of Hispanic Publications, Inc, The Upstander Prize awarded by Major De Blasio, and one of our journalists, Zaira Cortes being distinguished for her work in local metropolitan coverage, just to mention a few

On top of daily coverage of topics and services for the local community, we’ve published in the last year resources like “Guia de Inmigración”, “Educación contra el Fraude”, “Semana de lucha contra la violencia doméstica” (These are content educational series related to Immigration, Fraud Prevention and Domestic Violence).

El Diario has also been part of relevant initiatives like: How to get your Municipal ID, Become a US Citizen in order to vote, How to get a health insurance under the new Affordable Care Act (Obamacare).

Not only the journalistic world and industry and City institutions have acknowledged our work but also our audience praising us with their preference. EL DIARIO fan page on Facebook has now more than 500.000 followers, what makes it the most popular fan page for any hispanic news outlet in the city.

After four years of continuous and solitary investment in the quest for a new value proposition with financial sustainability, we celebrate this City initiative and we hope to obtain the same level of support and commitment our shareholders have shown to ensure that immigrant communities receive information on local matters and vital services for their everyday life.

We are open to all ideas and contributions. We are willing to work together with the City institutions in the search of new creative solutions to ensure ethnic media survival.

Gabriel Dantur
CEO
Impremedia

TESTIMONY FOR IMMIGRATION COMMITTEE

OVERSIGHT: HOW CAN THE CITY SUPPORT ETHNIC MEDIA TO ENSURE THAT IMMIGRANT COMMUNITIES RECEIVE INFORMATION ON LOCAL MATTERS

January 27th, 2016

MARTA GARCIA

Vice Chair

National Hispanic Media Coalition, Inc

mgarcia@nhmc.org

www.nhmc.org

GOOD MORNING COMMITTEE MEMBERS!

MY NAME IS MARTA GARCIA, I AM THE VICE CHAIR OF THE NATIONAL HISPANIC MEDIA COALITION, (NHMC) A MEDIA ADVOCACY AND CIVIL RIGHTS ORGANIZATION WITH A 30 YEAR OLD SUCCESSFUL HISTORY, CREATED TO ADVANCE LATINO EMPLOYMENT AND TO ADVOCATE FOR TELECOMMUNICATIONS POLICIES THAT BENEFIT THE LATINO COMMUNITY.

WE WORK TOWARDS A MEDIA THAT IS FAIR, INCLUSIVE OF LATINOS, TOWARDS UNIVERSAL, AFFORDABLE AND OPEN ACCESS TO COMMUNICATIONS.

OUR PARTNERS ARE NUMEROUS, NOTABLY, NHMC IS A BOARD MEMBER OF THE NATIONAL HISPANIC LEADERSHIP AGENDA (NHLEA), AND AN UNBRELLA OF THE NATION'S MOST PROMINENT ORGANIZATIONS WORKING TOGETHER ON POLICY ISSUES WE SIT ON NHLEA'S MEDIA COMMITTEE. WE CREATED THE NATIONAL LATINO MEDIA COUNCIL THAT LED TO A SIGNING OF A MEMORANDUM OF UNDERSTANDING WITH ABC, NBC/COMCAST, CBS AND FOX. WE ISSUE AN ANNUAL REPORT CARD ON THESE NETWORK'S DIVERSITY IN ENTERTAINMENT.

THE NYC CHAPTER HAS BEEN INSTRUMENTAL IN PROVIDING GUIDANCE TO LATINO LEADERS ON ACCESSING MEDIA, PROVIDING INFORMATION ON THE IMPORTANCE OF NET NEUTRALITY, AND TAKING THE LEADERSHIP IN ENSURING THAT PUBLIC AFFAIRS PROGRAMS THAT ADDRESS LATINO ISSUES SUCH AS WABC-TV TIEMPO, AND VISIONES NOT ONLY REMAIN ON THE AIR, BUT RECEIVE A MORE VISIBLE PROGRAMMING TIME SLOT. FOR DETAILS ON OUR ORGANIZATION'S ACCOMPLISHMENTS I INVITE YOU TO VISIT OUR

WEBPAGE: www.nhmc.org.

BESIDES MY ROLE WITH NHMC, I WAS ALSO APPOINTED TO THE CITY'S LATIN MEDIA & ENTERTAINMENT COMMISSION, A COMMISSION THAT UNFORTUNATEDLY, THIS ADMINISTRATION HAS FAILED TO REVAMP SINCE THE BLOOMBERG YEARS, DESPITE PROMISES TO DO SO. THE COMMISSION IS A PERFECT BODY TO BRING MEDIA ISSUES TO A PUBLIC FORUM.

IT'S BEEN AWHILE SINCE COUNCIL MEMBERS TOOK A VESTED INTEREST IN THE POWERFUL INDUSTRY OF THE MEDIA AND ITS EFFECT ON OUR LOCAL COMMUNITIES. IN THE LATE 1980'S MY ORGANIZATION HELD HISTORICAL JOINT CONGRESSIONAL HEARING ON THE PRACTICES IN BROADCASTING IN THIS SAME BUILDING. IT IS OUR HOPE THAT THIS INITIATIVE WILL BE FOLLOWED BY CONCRETE MEASURES ...FOR THE SAKE OF ALL OUR EHTNIC COMMUNITIES. I WANT TO FIRST EXPRESS OUR ONGOING SUPPORT AND GRAVE CONCERN FOR THE THOUSANDS OF LATINO JOURNALISTS AND OTHERS WHOSE VALUABLE SKILLS AND KNOWLEDGE ARE INCREASINGLY BEING THREATENED BY LAY-OFFS. THE EROTION OF THE MEDIA INDUSTRY HAS DRAMATICALLY CHANGED HOW WE RECEIVE OUR NEWS AND INFORMATION...THESE CHANGES ARE EVIDENT, ESPECIALLY IN THE NEWSPAPER INDUSTRY.

AS SUCH, I WANT TO MAKE SEVERAL RECOMMENDATIONS TO THIS COMMITTEE FOR ITS CONSIDERATION. OUR RECOMMENDATIONS ARE FOCUSED ON GETTING PUBLIC INTEREST NEWS TO ESPECIALLY FOREIGN BORN COMMUNITIES. HOWEVER, THERE IS MUCH TO BE SAID ABOUT THE PRACTICES IN MAINSTREAM NEWSROOMS.

NHMC'S RECOMMENDS THE FOLLOWING:

- INCREASE THE CITY'S ADVERTISING DOLLARS TO ETHNIC MEDIA SPECIFICALLY THOSE SIGNIFICANTLY COMMITTED TO COVERING OUR LOCAL COMMUNITY ISSUES;

- **SUPPORT NONPROFIT NEWSPAPER MODELS BY REQUESTING THE IRS TO UPDATE ITS ANTIQUATED POLICIES THAT STIFLE NEWS GROUPS FROM RECEIVING A 501 C- 3 STATUS;**
- **HELP ENSURE ACCESS AND AFFORDABILITY TO NEW TECHNOLOGY AND THE INTERNET FOR LOW-INCOME FAMILIES;**
- **PROMOTE & SUPPORT HYBRID NEWSPAPER MODELS THAT ARE WEB AND PRINT BASED.**
- **URGE MAYOR DEBLASIO TO REVAMP THE LATIN MEDIA & ENTERTAINMENT COMMISSION IMMEDIATELY! AND TO APPOINT A NEW COMMISSIONER OF MEDIA & ENTERTAINMENT A VACANCY LEFT BY FORMER COMMISSIONER CYNTHIA LOPEZ;**
- **CONVENE THE NY CHAPTER OF THE NATIONAL ASSOCIATION OF HISPANIC JOURNALISTS TO RESEARCH THE IMPACT OF THE LOST OF LOCALISM IN NEW YORK.**

ALLOW ME TO COMMENT, TODAY LESS THAN 20 PERCENT OF THE COUNTRY'S 1483 PAPERS ARE INDEPENDENTLY OWNED; THE REST BELONG TO MULTI-NEWSPAPER CHAINS. OF THE NATION'S 1,500 DAILY PAPERS, NEARLY 1,200 — ABOUT 80 PERCENT — ARE OWNED BY THE BIG CHAINS, WHICH CONCENTRATE ON REAPING LARGE PROFITS AND ARE NOT MUCH GIVEN TO PUBLIC SELF-EXAMINATION ON ETHICS AND QUALITY ISSUES. NEW YORKER'S HAVE LOST MOST OF THEIR LOCAL COVERAGE, THEY ARE EITHER MISINFORMED OR UNINFORMED. THE LOST OF ACCURATE AND RELEVANT LOCAL MEDIA COVERAGE BY KNOWLEDGABLE MEDIA OUTLETS POSES MAJOR CHALLENGES TO JOURNALISTIC BEST PRACTICES. THE FULL DIVERSITY OF THE CITY'S LATINO POPULATION AND ITS CULTURAL AND LINGUISTIC DIFFERENCES AND PROBLEMS MUST RECEIVE SERIOUS CONSIDERATIONS GIVEN THE NATIONAL-ORIGINS OF THE VAST MAJORITY OF LATINOS. THERE ARE SIGNIFICANT CLASS AND LINGUISTIC DIFFERENCES THAT REQUIRE AGGRESSIVE ACTIONS TO DRAMATICALLY IMPROVE THIS CITY'S MEDIA.

THAT SAID,

I WANT TO ECHO MY COLLEQUES RECOMMENDATIONS ON THE NEED FOR THE CITY TO INVEST IN ADVERTISING. NYC AGENCIES SPEND OVER \$20 MILLION DOLLARS (2013 FIGURES) IN ADVERTISING, BUT 82% OF THAT BUDGET GOES TO MAINSTREAM MEDIA, SUCH AS THE NEW YORK TIMES, DAILY NEWS, POSTS, OTHERS. DESPITE ITS MASSIVE ETHNIC POPULATION THE CITY SPENDS ONLY 18% OF ITS ADS IN THE 270 ETHNIC MEDIA PUBLICATIONS, AND LESS THAN 4% IN SPANISH-LANGUAGE PUBLICATIONS. WRITTEN ADVERTISING POLICIES ARE ON THE CITY BOOKS, YET, THESE ARE NOT BEING APPLIED TO THE CITY'S ADVERTISING PRACTICES. EXISITING ADVERTISING POLICY OPTIONS NEED TO BE EXPANDED, STRICTLY ENFORCED AND MONITORED TO HELP LOCAL PUBLICATIONS SUSTAIN THEMSELVES FINANCIALLY.

NON-PROFIT MODELS- CONSIDER THAT NON-PROFIT NEWSPAPER MODELS ARE ON THE INCREASE AND THAT THEY ARE AN IMPORTANT ARM OF GETTING THE NEWS OUT TO FOREIGN BORN COMMUNITIES, OR NON ENGLISH DOMINANT NEW YORKERS. FOREIGN LANGUAGE ETHNIC MEDIA REACHES AN ESTIMATED 2 MILLION OF THE CITY'S POPULATION. NEARLY A QUARTER OF NYC POPULATION IS NOT PROFICIENT IN ENGLISH AND ACCORDING TO SCARBOROUGH'S 2014 NEWSPAPER PENETRATION REPORT, 56% OF THIS POPULATION READS IN PRINT, AND NOT ON THE INTERNET.

FURTHERMORE, APPLYING FOR NON PROFIT NEWSPAPER STATUS HAS BECOME A NIGHTMARE. WORKING WITH EXPERTS IN THIS AREA WOULD GO A LONG WAY TO HELP CHANGE THE IRS'S OUT-DATED COMMERCIAL MINDED VIEWS ON THE CHANGING ROLE OF THE NEWSPAPER INDUSTRY.

FINALLY, LET ME NOTE THAT ENGLISH PROFICIENCY IS STRONGLY LINKED TO THE USE OF THE INTERNET. FOREIGN BORN COMMUNITIES ARE IN DIRE NEED OF CATCHING UP TO THE HIGH PERCENTAGE OF INTERNET USERS. BUT THE COST FOR INTERNET CONNECTIONS IS TOO OFTEN A PROHIBITIVE EXPENSE FOR LATINO FAMILIES, FOREIGN BORN OR NOT.



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January 27, 2016

Testimony of NewsGuild of New York President Peter Szekely Before the New York City Council Committee on Immigration

Good morning, Chairman Menchaca and members of the committee.

My name is Peter Szekely and I'm president of The NewGuild of New York, which is Local 31003 of the Communications Workers of America. The Guild represents some 2800 journalists and other employees, mostly at New York area news organizations, and we've been doing it for 82 years. Our members work at national and global news organizations, like The New York Times, Time Inc. and Reuters, where I spent most of my working life as a Washington correspondent until I became a full-time paid officer of our union eight and a half years ago. And our members also work at a host of smaller news organizations in the area, including some of the city's ethnic newspapers, like The Jewish Forward, The Amsterdam News and El Diario.

As a union, the Guild's chief mission is to try to improve the working conditions of our members, which in today's world means we're fighting to keep journalists in the middle class. But we also consider ourselves protectors of the craft of journalism. And for that reason, I want to thank the committee for holding these hearings.

We're very concerned by what we've seen at El Diario over the past few years. In the past two years, the size of the paper's newsroom has shrunk from 25 to 11. Where only a few years ago the paper was filled with local stories that the larger mainstream press wasn't covering, today it's just a shadow of its former self. The paper that calls itself the Champion of the Hispanics is today filled mostly with stories that have been aggregated from wire services and other people's reporting. The same goes for the El Diario website. Last summer, one of our members who left El Diario told us, "I did not become a reporter to cut and paste from other websites."

We understand that El Diario and other news organizations are privately owned enterprises that need to turn a profit. But, while it's not written into their charters, they also assume the roles of public trusts. The foreign language press is a pipeline to the city's immigrant communities. They bring to their readers news that often can't be found elsewhere and that speaks to them in the language they are most comfortable with. Since an informed citizenry is

essential to a free society, the press provides a public service. It is therefore morally incumbent on the owners of these vital enterprises to do all that they can to continue to inform their readers, and it is equally incumbent on government to do all it can to support these enterprises.

It must be said that the Guild's relationship with El Diario has been among the most contentious of our 20 employers in the four years since its parent company, ImpreMedia, was bought by La Nacion of Argentina. The elimination of 13 of our members' jobs that was announced two weeks ago and which cut newsroom staffing in half has spawned yet another dispute between us that the National Labor Relations Board is now investigating.

And yet, I tried to find some reason for hope in the El Diario statement earlier this week in which management insisted it wasn't setting a death date for its print publication, said it intended to remain the voice of the Latino community in New York and pledged to try to find what it called a "value proposition" to keep the paper alive.

The sobering reality, however, is that the latest statement needs to be viewed in the context of La Nacion's stewardship of its American properties since 2012. What we've seen is that the journalistic resources of its papers in other American cities have been depleted. And our members have told us that management has sharply reduced the number of distribution points for El Diario, making it harder and harder for readers to find the print publication.

In short, we see a business strategy that appears to be what we call "Clear Channeling," in which all of ImpreMedia's American outlets are supplied with similar generic content and left with few, if any, resources for original local reporting.

We're not oblivious to the financial upheaval in the newspaper business. We know that the availability of free content on the Internet is cutting newspaper circulation and forcing owners to seek a still elusive business model to replace the advertising revenue that has supported the industry since the late 1800s.

Notwithstanding these challenges, there are successes. Some hyperlocal and other niche publications are still thriving, mostly because they have invested in good journalism. Experience has shown that readers will pay for news that is valuable to them and that can't be found anywhere else. Cutting back on journalistic resources, a mistake that so many newspapers have made, isn't just bad public policy, it's bad business.

In New York's Chinese community, which is less than one-fourth the size of the city's Spanish-speaking population of two million, there are four Chinese language newspapers in robust competition with one another. One of them, the Sing Tao Daily, recently became the first foreign language newspaper to win an award from the New York City chapter of the Society of Professional Journalists for best reporting by a newspaper with circulation of less than 100,000.

So, even in today's challenging business climate, it's still possible for newspapers to succeed.

It starts with the will to do so. It requires an investment in good journalism. And it's driven by a dedication to informing readers and providing them with the information they need to be good citizens. If the current owners of El Diario cannot summon the will, the dedication and the level of investment to devote to this 102-year-old institution of the city's Hispanic communities, we hope they will step aside and make room for someone who can.

I thank the committee for inviting me and I'd be happy to answer your questions.

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Testimony Before the New York City Council
Committee on Immigration
January 27, 2016

Good morning. My name is Frankie Miranda and I am the Senior Vice President for the Hispanic Federation. I would like to thank New York City Council Speaker Melissa Mark-Viverito, Chairperson Carlos Menchaca and members of the Immigration Committee for the opportunity to testify today.

Hispanic Federation is the nation's premier Latino membership organization founded to address the many inequities confronting Latinos and the nonprofits which serve them. For over 25 years, Hispanic Federation has provided grants, administered human services and coordinated advocacy for our broad network of community-based organizations that serve more than 2 million Latinos in the areas of education, health, immigration, economic empowerment, civic engagement and the environment.

The topic being discussed here today is of critical importance to the more than 2.3 million Latinos who call New York City home and to our City's ability to communicate and engage with this growing community. Latino New Yorkers heavily rely on Spanish-language media to meet their information and resource needs, regardless of whether they are newly arrived or have been living in the city for decades. Both bilingual and Spanish-dominant Latinos understand that Spanish-language newspaper, radio and TV are trustworthy sources.

Hispanic Federation has organized dozens of large-scale outreach campaigns throughout the years to inform and educate the Latino community of immigration, health, education, economic empowerment and environmental programs and policies. Many of these programs are focused on New York City public services that often tap into the Federation's ability to disseminate information to our community's most vulnerable individuals. Many of these collaborations have been successful due to the support of our integral partners in the Spanish-language media.

It was through our weekly column at *El Diario* newspaper that many Latino New Yorkers learned about the City's proposal and implementation of Universal Pre-K. When many mainstream outlets questioned the rollout of the City's first-ever municipal ID initiative, *Telemundo 47* volunteered a significant amount of their on-



air inventory to inform, educate and encourage Hispanic New Yorkers to enroll into IDNYC. Telemundo 47 also worked proactively with us to help New York's immigrant community access real opportunities to further contribute to their families and communities. *Univision* 41 has also been a pioneering partner of the Federation's civic education and voter information campaigns, along with other city-inspired initiatives, providing countless hours to helping Latinos get informed, connected and empowered to improve their lives in New York City. *Univision* Radio and Spanish Broadcasting System provide Hispanic Federation with 104 hours of public service airtime each year to provide critical information on ESL classes, training opportunities, health services, and much more. Through these joint efforts, we touch the lives of tens of thousands of Latino families each year.

These are only a few of the many examples that we can provide where the success of the Federation, the communities we serve and the City of New York are linked to the support provided to us by our Spanish-language media partners. But the most surprising fact of these collaborations is that none of these media outlets have been compensated for the valuable air-time or print space they provide to our city. By and large, they have been offering this public service and helping our community on a pro-bono basis.

The underfunding of Spanish-language media is nothing new and it has been a problem for many decades now. Government spending in the Spanish-language media is barely negligible, especially when you consider the fact that Latinos represent nearly a third of our city's total population. If our city government wants the diverse and vibrant ethnic communities living in our 5 boroughs to thrive and succeed, it is critical that the City of New York reevaluates and reinvigorates its media investment to meet the real needs of its residents. In many cases, investing in ethnic media will ensure that the most vulnerable New Yorkers receive the services they need and do so without the fear of becoming a victim of fraud.

Indeed, all media outlets must provide no-cost public service to the communities they serve. However, it is time that we recognize the value and return on investment generated by ethnic media outlets, particularly around their ability to inform and mobilize our diverse communities.

Thank you for your time and attention to these important issues.



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

**Testimony of Brooklyn Borough President Eric L. Adams
New York City Council Committee on Immigration
January 27, 2016**

Good morning, Chair Menchaca, and members of the New York City Council's Committee on Immigration. Thank you for the opportunity to testify at your oversight hearing on how New York City can better support ethnic media to ensure that immigrant communities receive information on local matters.

I applaud Chair Menchaca's commitment to this issue and share his concerns. In October of 2014, I joined with the New York Black Publishers Alliance to host a forum at Brooklyn Borough Hall that explored the challenges facing ethnic media and the need for government to take action. Additionally, I am pleased to have worked with New York City Comptroller Scott Stringer on an analysis performed by his office to help determine in what media outlets city advertisements were placed.

The viability of ethnic media outlets is critical to the overall health of New York City's press landscape. Every voice needs to be heard, and publications that have been trusted to speak to the issues of our various diverse communities are the most viable vehicles for millions of voices in our five boroughs. We believe the City has a history of shortchanging ethnic media from advertising dollars, the lifeblood of these businesses, which is affecting our ability to communicate about important municipal opportunities and resources to oft-underserved New Yorkers.

These media outlets have a circulation over 3 million, over a third of New York City's population, yet the amount of city resources dedicated to outreach and advertising in these outlets is far less. According to analysis, over the course of the past three fiscal years, only 12.7 percent of City funding for advertising was dedicated to ethnic media. Only one ethnic media publication, *El Diario*, cracked the top ten of publications by total spent from 2013-2015.

Of the spending in ethnic media, only 4.6 percent of funding went to recruitment advertising which is comprised of job postings and listings. This is a troublingly low figure considering that, according to the Migration Policy Institute, Limited English Proficient (LEP) individuals were more likely to live in poverty than English-proficient individuals. In 2013, about 25 percent of LEP individuals lived in households with an annual income below the official federal poverty line—nearly twice as high as the share of English-proficient persons (14 percent). In addition, according to Organizing for Unemployment Reform (OUR) New York, non-English speaking constituents often face the highest barriers to accessing employment opportunities.

In short, people cannot find jobs if they do not know that they are available. Residents cannot engage in community-driven neighborhood development if they do not know that they are being asked to participate. Our track record is unacceptable if we are to fulfill our shared mission of a vibrant democracy with a fully engaged populace.

The information gleaned from this analysis and today's oversight hearing should be used to fuel a serious conversation that results in greater institutional backing and funding for engaging all New Yorkers, regardless of their background, in this grand experiment called New York City. I am hoping that the City Council will mandate quarterly reporting from each City agency with an advertising budget on how much of their dollars are going to ethnic media, creating an CompStat-type system for City advertising. We cannot continue to wait until year's end to find out if our agencies are falling short. Furthermore, I believe we must focus attention on the state and federal levels as well, ensuring that the distribution of all of our government advertising resources are deployed in a manner that maximizes effective and strategic community penetration.

I look forward to continuing to work with Comptroller Stringer as well as both sides of City Hall to raise our voices and put forward a thoughtful plan that identifies how we can do better and spend smarter in our civic outreach.



Testimony by New York Legal Assistance Group before the New York City Council Committee on Immigration regarding the role of ethnic media in informing and educating immigrant communities

January 27, 2016

Good morning Chair Menchaca, Councilmembers and staff. Thank you for giving us the opportunity to testify to the role that ethnic media plays in informing and educating immigrant communities. My name is Camilla Jenkins and I am the Director of Communications at the New York Legal Assistance Group. NYLAG is a nonprofit organization dedicated to providing free legal services in civil law matters to low-income New Yorkers – and over half the clients we serve each year are immigrants. Our clients include the homebound, veterans, families facing foreclosure, renters facing eviction, low-income consumers, people in need of government assistance, children in need of special education, domestic violence victims, people with disabilities, chronically ill patients, low-wage workers, members of the LGBTQ community, and Holocaust survivors.

Along with our fellow legal services providers, NYLAG works closely – with the City Council, the Mayor’s Office of Immigrant Affairs and other city agencies, community advocates and organizers, pro bono attorneys, and volunteer law students – to bring comprehensive services to New York’s immigrant communities. We have extensive experience in galvanizing our collective forces to make sure that immigrants take advantage of every opportunity the city has to offer to enhance their quality of life, and maximize their contributions to the vitality and prosperity of New York.

But no matter how effectively we coordinate and collaborate, our outreach efforts cannot succeed without the support of ethnic media, whose strong bonds of loyalty and trust make it a vital link to local communities and neighborhoods. A reporter from an influential Latino news outlet once told me that she thinks of herself as both as an objective journalist and an advocate. She knows her audience: their culture, their language, their concerns. She sees herself as someone whose role is to strengthen the community by cherishing its culture, while giving immigrants the information they need to assimilate and improve their lives.

Together with our city, community and private bar partners, NYLAG coordinates and participates in press conferences, briefings, large-scale legal clinics and individual assessment programs held at schools, churches, community centers and other safe places within immigrant neighborhoods. In 2015 alone our partnership across the five boroughs culminated in 33 community clinics, serving 1,923 people with general immigration screenings, application assistance for citizenship, and a range of other services. A critical factor in our success has been extensive and prominent ethnic media coverage that helps immigrants to become informed consumers and encourages them to seek out the services that are available to them.

Ethnic press exposure helped us spread the word to many vulnerable populations, including: Haitian nationals seeking temporary protective status following the 2010 earthquake; DREAMERS newly eligible for DACA in 2012; the forgotten immigrant victims of Superstorm Sandy; and women in Chinatown fleeing domestic violence. It has enabled us to communicate the benefits of the city's Municipal ID program to those who are undocumented, homeless, or struggle to obtain government-issued ID that accurately reflects their gender. And, at a time when inflammatory political rhetoric and the President's stalled executive action on immigration have created an unprecedented level of fear, thanks to ethnic media news stories we have been able to help communities isolated by culture and language get the real facts about our nation's immigration policies.

As one of the largest immigrant services providers in the State of New York, we have long made it a priority to educate immigrant communities about the dangers of fraudulent immigration law practitioners, a pervasive, ongoing problem that tends to surge at times of heightened insecurity and fear. In this area in particular, ethnic media has provided a cultural and educational lifeline to immigrant populations vulnerable to the false promises of notarios and others who prey on them.

An amazing example of their power played out in 2014, when Attorney General Eric Schneiderman appointed NYLAG the administrator of a multimillion dollar fund to provide restitution to immigrants defrauded by nonprofit organizations that made false promises of citizenship, engaged in the unauthorized practice of law, and illegally charged exorbitant fees for services. NYLAG's job was to find, through community outreach and direct mail, thousands of immigrants who might be eligible for restitution. A tall order, since years had passed and many potential claimants had moved on with their lives.

That's where the ethnic media community made all the difference. Over the course of the next several months, Spanish-language newspapers, websites, TV and radio outlets blitzed immigrant communities – often running multiple stories that laid out the sordid details, featured immigrant victims of the scam and urged people who may have been defrauded to apply for restitution. 75% of the nearly 2,000 immigrants who eventually received compensation read or heard about the fund through a Spanish-language media report.

A recent Rutgers University study looked at the health of the media ecosystem in Newark as compared to several nearby New Jersey suburbs. It raises concerns about the risks associated with “media deserts” – communities that get significantly less original news coverage than other communities, creating an information gap that can be devastating to underserved populations.¹

¹ Napoli, Philip M., Sarah Stonbely, Kathleen McCollough, and Bruce Renninger. “Assessing the Health of Local Journalism Ecosystems: A Comparative Analysis of Three New Jersey Communities.” Rutgers School of Communication and Information. June 2015.

<http://mpii.rutgers.edu/assessing-the-health-of-local-journalism-ecosystems/>

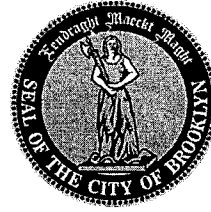
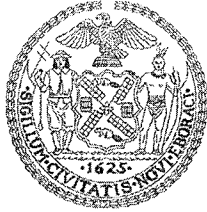
We need to make sure that there are no media deserts in the City of New York. It is essential to have independent news sources with distinctive personalities, as well as a commitment to, and engagement with, underserved communities.

Ethnic media provides vital information in a targeted, culturally sensitive way that has helped us reach more people, more effectively and in less time than mainstream media alone can do. We applaud the efforts of this Committee to clarify and confirm the unique value and role of the ethnic press in New York City, and to take steps that will ensure that these trusted messengers remain a central partner in our commitment to open and effective communications with immigrant communities.

Thank you for the opportunity to testify today.

Respectfully submitted,

Camilla Jenkins, Director of Communications



FOR THE RECORD

January 27, 2016

Hon. Carlos Menchaca
Chairperson
Committee on Immigration
New York City Council
250 Broadway
New York, NY 10007

Re: City Advertising Contracts and Ethnic Media

Dear Chairman Menchaca,

We are writing today with a new analysis that we hope will contribute to your oversight hearing on how the City can better leverage the scores of community-based, ethnic media outlets to ensure that all neighborhoods receive information on municipal job openings, legal notices, and other government business.

Working with the Office of the Brooklyn Borough President, the Comptroller's Office examined usage reports that were submitted to the Department of Citywide Administrative Services (DCAS) by Creative Media Agency, Graystone Group, and Miller Advertising, which outline where City advertisements were placed during Fiscal Years 2013-2015.

While the data received from DCAS was not inclusive of all spending on City advertising, it did provide sufficient information to discern general trends.

The analysis found that from Fiscal Years (FY) 2013-2015:

- The City of New York spent over \$20 million with Miller Advertising, the Graystone Group, and the Creative Media Agency, placing advertisements with 954 publications for recruitment (job listings) and non-recruitment needs (legal notices, public campaigns, and other communications);
- Within the 954 publications, 37 of these publications were designated by DCAS as "ethnic publications," which received on average 13 percent of spending per year;
- Of the top 40 publications that were awarded promotional dollars, nine were ethnic publications; and
- In FY 2015, the City spent 21.9 percent of non-recruitment advertising dollars on ethnic publications, but only spent 5.8 percent of recruitment dollars with ethnic publications.

The attached appendix includes additional information about City advertising spending.

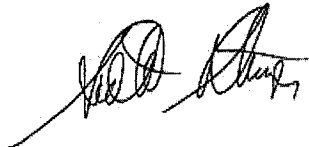
Given these trends, we believe that the City should explore whether a more strategic distribution of its limited advertising resources can enhance public awareness of government business for all New Yorkers and ensure that the City workforce truly represents the best and brightest from all our communities.

As a result, we urge the City to consider the following:

- Review the performance of all existing contracts, with an eye toward ensuring that the City's advertising dollars are being effectively deployed in a manner that reaches all communities.
- Establish a clear definition of what constitutes an ethnic publication, as there are many publications that could be considered within this definition but are not labeled as such by DCAS.
- Consider adding new vendors that have experience targeting specific communities.
- Ensure that advertising agencies spend dollars efficiently by requiring them to evaluate objective, concrete measures of readership, including circulation and website traffic.

In a City as diverse as New York, where 1.8 million residents are Limited English Proficient, it is imperative that our government take proactive steps to inform residents of the business of government. We look forward to working with you on this issue in the months to come.

Sincerely,



Scott M. Stringer
Comptroller
City of New York



Eric Adams
Brooklyn Borough President

APPENDIX

Miller Advertising has the largest advertising contract with the City, providing assistance in placing advertising with the majority of online and print outlets for both recruitment and non-recruitment purposes. The other two contracts are more specialized. The Creative Media Agency contract is aimed solely at recruitment postings in the New York Times, while the Graystone Group contract is designed to direct recruitment advertising to the Chronicle of Higher Education, and non-recruitment advertising to El Diario and AM New York.

Table 1: Total Spending in All Advertising Contracts, by Fiscal Year

	FY 2013	FY 2014	FY 2015	Total Spent
Graystone	\$327,025	\$575,364	\$1,006,961	\$1,909,350
Creative	\$319,528	\$357,776	\$218,816	\$896,120
Miller	\$5,185,526	\$5,980,577	\$6,062,653	\$17,228,756
All Contracts	\$5,832,079	\$6,913,717	\$7,288,430	\$20,034,226

Graph 1: Top 10 Publications by Total Spent in Fiscal Years 2013 -2015

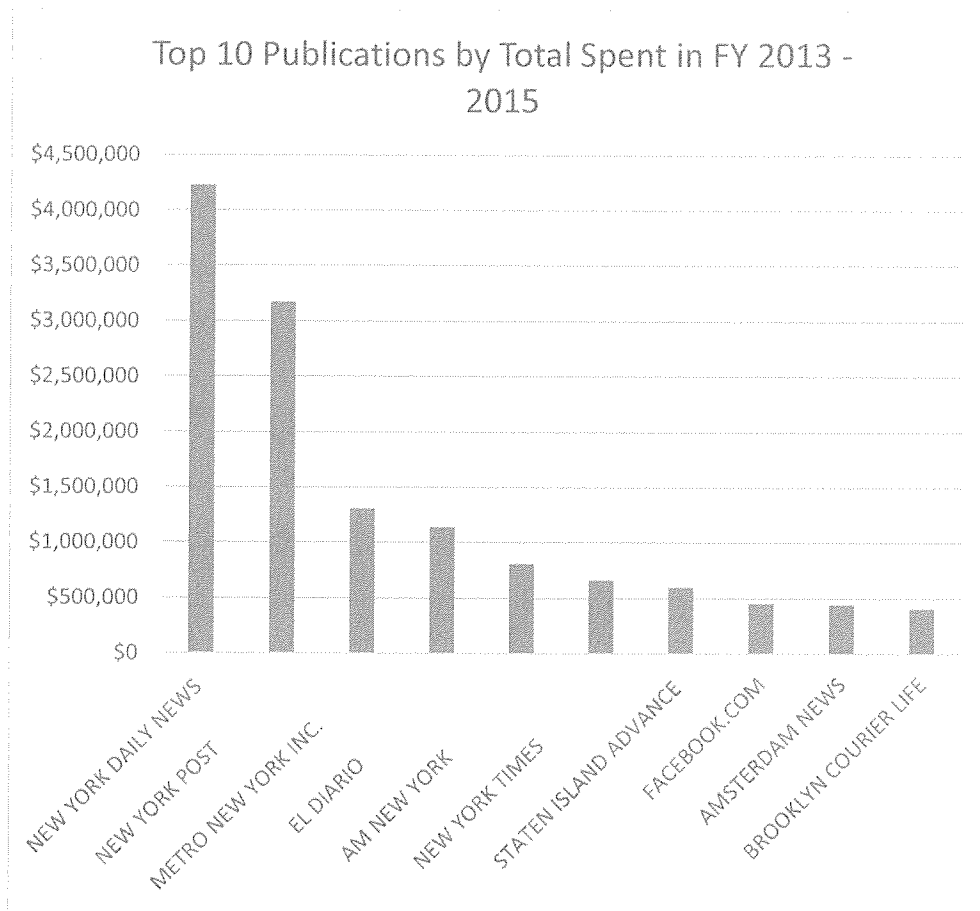


Table 2: Top 40 Publications by Total Spent in Fiscal Years 2013 -2015

Rank	Publication	FY 2013	FY 2014	FY 2015	Total
1	NEW YORK DAILY NEWS	\$1,792,723	\$1,382,954	\$1,056,082	\$4,231,759
2	NEW YORK POST	\$845,959	\$1,429,616	\$899,519	\$3,175,093
3	METRO NEW YORK INC.	\$494,707	\$388,894	\$426,709	\$1,310,310
4	EL DIARIO	\$298,189	\$314,248	\$528,959	\$1,141,395
5	AM NEW YORK	\$132,194	\$223,399	\$455,794	\$811,386
6	NEW YORK TIMES	\$111,726	\$325,008	\$228,605	\$665,339
7	STATEN ISLAND ADVANCE	\$176,296	\$189,613	\$234,374	\$600,283
8	FACEBOOK.COM	\$108,234	\$204,759	\$144,035	\$457,028
9	AMSTERDAM NEWS	\$24,195	\$181,129	\$239,031	\$444,355
10	BROOKLYN COURIER LIFE	\$154,258	\$122,412	\$129,182	\$405,851
11	WORLD JOURNAL	\$42,167	\$74,612	\$143,800	\$260,579
12	KOREAN TIMES	\$31,577	\$88,071	\$131,699	\$251,347
13	CHRONICLE OF HGH. EDUCAT.*	\$49,898	\$99,860	\$101,062	\$250,819
14	TWITTER	\$61,766	\$139,632	\$35,000	\$236,398
15	SING TAO	\$31,385	\$68,804	\$104,371	\$204,560
16	QUEENS COURIER	\$21,301	\$44,821	\$91,864	\$157,985
17	ENGINEERING NEWS RECORD	-\$2,280	\$97,265	\$56,270	\$151,255
18	MONSTER/NYTIMES.COM	\$28,914	\$47,453	\$47,800	\$124,167
19	DIVERSE ISSUES IN HIGHER EDUCA	\$19,809	\$38,363	\$51,916	\$110,087
20	SITESCOUT	\$0	\$0	\$100,500	\$100,500
21	JEWISH PRESS	\$308	\$27,350	\$71,100	\$98,758
22	THE CHIEF	\$12,699	\$34,751	\$48,171	\$95,621
23	QUEENS TIMES LEDGER	\$0	\$16,494	\$60,515	\$77,009
24	BRONX TIMES REPORTER	\$16,921	\$7,440	\$50,023	\$74,385
25	LIBERTY INTERACTIVE	\$70,000	\$0	\$0	\$70,000
26	DICE.COM	\$14,211	\$21,935	\$31,576	\$67,722
27	LA VOZ HISPANA	\$9,091	\$22,658	\$34,724	\$66,473
28	INDEED.COM	\$5,000	\$21,500	\$34,000	\$60,500
29	WEEKLY THIKANA	\$11,583	\$17,580	\$29,565	\$58,728
30	SCIENCE MAGAZINE	\$9,411	\$17,073	\$31,037	\$57,521
31	NEW YORK LAW JOURNAL	\$19,608	\$26,339	\$11,477	\$57,424
32	STRAUS MEDIA GROUP	\$0	\$15,886	\$40,878	\$56,764
33	CARIBBEAN LIFE	\$8,610	\$1,388	\$46,428	\$56,426
34	EL ESPECIAL	\$0	\$13,053	\$39,293	\$52,346
35	CRAIN'S NEW YORK BUSINESS	\$31,031	\$17,494	\$3,518	\$52,043
36	GOTHAMIST LLC	\$25,000	\$5,000	\$20,500	\$50,500
37	MINORITY COMMERCE WEEKLY	\$2,489	\$12,484	\$35,088	\$50,061
38	HIGHERED JOBS.COM	\$11,145	\$18,085	\$19,064	\$48,294
39	THE NEW YORK ENTERPRISE REPORT	\$45,088	\$0	\$0	\$45,088
40	WALL STREET JOURNAL	\$23,084	\$21,980	\$0	\$45,064

* The blue cells designate "ethnic publications," as defined by DCAS.

Table 3: Total Spent With All Ethnic Publications, by Fiscal Year

Rank	Publication	FY 13	FY 14	FY 15	Total
1	EL DIARIO	\$298,189	\$314,248	\$528,959	\$1,141,395
2	WORLD JOURNAL	\$42,167	\$74,612	\$143,800	\$260,579
3	KOREAN TIMES	\$31,577	\$88,071	\$131,699	\$251,347
4	SING TAO	\$31,385	\$68,804	\$104,371	\$204,560
5	JEWISH PRESS	\$308	\$27,350	\$71,100	\$98,758
6	LA VOZ HISPANA	\$9,091	\$22,658	\$34,724	\$66,473
7	WEEKLY THIKANA	\$11,583	\$17,580	\$29,565	\$58,728
8	CARIBBEAN LIFE	\$8,610	\$1,388	\$46,428	\$56,426
9	EL ESPECIAL	\$0	\$13,053	\$39,293	\$52,346
10	HISPANIC OUTLOOK IN HIGHER ED	\$5,884	\$14,192	\$20,799	\$40,875
11	JEWISH FORWARD	\$7,103	\$10,702	\$12,502	\$30,307
12	EPOCH TIMES	\$0	\$0	\$28,379	\$28,379
13	OUR TIME PRESS	\$2,022	\$1,898	\$22,716	\$26,636
14	CARIB NEWS	\$1,917	\$3,371	\$18,301	\$23,590
15	URDU TIMES		\$1,250	\$21,677	\$22,927
16	ALLEWAA ALARABI	\$0	\$0	\$22,471	\$22,471
17	HAITI PROGRESS	\$0	\$4,945	\$17,053	\$21,997
18	NEWS INDIA PUBLICATION	\$0	\$7,925	\$12,066	\$19,991
19	PAKISTAN POST	\$0	\$2,235	\$17,327	\$19,562
20	NAT'L ASSOC OF ASIAN AMER PROF	\$1,414	\$12,213	\$2,705	\$16,333
21	LATINOSINHIGHERED.COM	\$3,522	\$7,547	\$4,720	\$15,790
22	RUSSIAN BAZAAR	\$3,118	\$2,588	\$6,296	\$12,002
23	DIARIO DE MEXICO NYC	\$0	\$0	\$9,648	\$9,648
24	WEEKLY BANGALEE	\$0	\$0	\$7,059	\$7,059
25	BANGLA PATRIKA	\$0	\$2,824	\$2,353	\$5,177
26	NOWY DZIENNIK	\$0	\$0	\$4,818	\$4,818
27	WEEKLY DARPON	\$300	\$1,125	\$3,150	\$4,575
28	NOVOM SVETE	\$0	\$0	\$3,441	\$3,441
29	ASIANLIFE.COM	\$561	\$1,850	\$734	\$3,145
30	KOREAN NEW YORK DAILY	\$0	\$176	\$2,353	\$2,529
31	CHINA PRESS	\$0	\$0	\$2,047	\$2,047
32	HAITIAN TIMES	\$0	\$150	\$1,853	\$2,003
33	QUEENS LATINO	\$0	\$0	\$1,647	\$1,647
34	WEEKLY BANGLADESH	\$250	\$706	\$353	\$1,309
35	NAT'L ASSOC OF HISPANIC JOURNA	\$0	\$500	\$609	\$1,109
36	SOCIETY HISPANIC PRO ENGINEERS	\$0	\$189	\$825	\$1,014
37	HISPANICS-JOBS.COM	\$0	\$0	\$206	\$206

Table 4: Percent Spending on Ethnic Publications, by Fiscal Year

	FY 2013	FY 2014	FY 2015	Total
Total Spent on Ethnic Pubs.	\$459,002	\$704,150	\$1,378,045	\$2,541,197
Total Spent on All Pubs.	\$5,832,079	\$6,913,717	\$7,288,430	\$20,034,226
Percent Spent on Ethnic Pubs.	7.87%	10.18%	18.91%	12.68%

Advertising spending conducted by the City is directed through two categories: recruitment and non-recruitment. Recruitment advertising is comprised of job postings and listings, while non-recruitment advertising can include legal notices, real estate holdings, auctions, sales of equipment, or public-awareness campaigns.

Table 5: Non-Recruitment Spending, by Type and Fiscal Year

	Total Non-Recruitment Spending	Total Ethnic Pubs. Non-Recruitment Spending	Percent of Total Dollars Spent w/ Ethnic Pubs.
FY 2013	\$4,974,764	\$432,559	8.70%
FY 2014	\$5,615,836	\$639,446	11.39%
FY 2015	\$5,769,342	\$1,264,804	21.92%

Table 6: Recruitment Spending in Miller and Creative Contracts, by Fiscal Year

	Total Recruitment Spending	Total Ethnic Pubs. Recruitment Spending	Percent of Total Dollars Spent w/ Ethnic Pubs.
FY 2013	\$861,553	\$26,443	3.07%
FY 2014	\$1,297,516	\$64,704	4.99%
FY 2015	\$1,519,860	\$87,414	5.75%

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/27/2016

(PLEASE PRINT)

Name: Camilla Jenkins

Address: 7 HANOVER SQ NY NY 10004

I represent: NEW YORK LEGAL ASSISTANCE GROUP

Address: 7 HANOVER SQ NY NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Helen Dook - NYLAG

Address: 7 Hanover Square NY NY

I represent: NYLAG

Address: 7 Hanover Square NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2

(PLEASE PRINT)

Name: Kimberly G. Price

Address: 401 VAN BRUNT STREET SA

I represent: RED HOOK STAR-REVUE

Address: same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Javier (PLEASE PRINT)
Castano

Address: _____

I represent: Queens station

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Ileen Dion Campbell (PLEASE PRINT)

Address: _____

I represent: African spot & African Studies

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: NIURKA VIDAL (PLEASE PRINT)

Address: _____

I represent: Impacto Latin News

Address: (REPORTER)

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ESE OFURHIE

Address: 3300 PALMER AVE BRONX NY

I represent: ENSPIRE Magazine

Address: 3300 PALMER AVE BRONX NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/27/2016

(PLEASE PRINT)

Name: Lotus Chan

Address: 138 Lafayette St

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ABU TAHER

Address: 36-50, 38 ST. LIC, NY 11101

I represent: TIME TELEVISION.

Address: BANQLA PATRIKA

Address: 36-50, 38 ST. LIC. NY 11101

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Augusto Alarcon

Address: _____

I represent: Latino Leadership Institute

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ayisha Irfan on behalf of Manhattan Borough President

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 1/27/16

(PLEASE PRINT)

Name: Peter Szekely

Address: 20 River Rd. #74, NYC 10044

I represent: The News Build of New York, CWA Loc. 131003

Address: 1500 Broadway Ste 900 NYC 10044

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Marta Malcar (PLEASE PRINT)

Address: _____

I represent: PA+1 (Hisp Medical Collective)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/27/16

Name: Stefan Ringel (PLEASE PRINT)

Address: 209 Jerusalem Street

I represent: Brooklyn Borough President Eric Adams

Address: 209 Jerusalem Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 92 Res. No. 928

in favor in opposition

Date: 01/27/2016

Name: Pamela P. Denzer (PLEASE PRINT)

Address: PO Box 3071 NY, NY 10008

I represent: Immigration Equality

Address: 40 Exchange Pl. Ste. 1300 NY, NY 10005

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/27/2016

(PLEASE PRINT)

Name: GABRIEL DANTUR

Address: 1 METROTECH CTR, BROOKLYN

I represent: EL DIARIO

Address: 1 METROTECH CTR FL 18 BROOKLYN.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/27/16

(PLEASE PRINT)

Name: Frankie Miranda

Address: _____

I represent: Hispanic Federation

Address: 55 Exchange Place, 5th Fl. NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/27/15

(PLEASE PRINT)

Name: THANU YAKUPITIYACI

Address: _____

I represent: NEW YORK IMMIGRATION COALITION

Address: 131 West 33rd St, suite 601

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/27/16

(PLEASE PRINT)

Name: Nisha Agarwal, Commissioner Maya's office
of Immigrant Affairs

Address: _____

I represent: NOIA

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Karen Pennar

Address: 219 West 40th St Room 446 NY NY 10018

I represent: The Center for Community + Ethnic Media
at CUNY Journalism School

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 01-27-2016

Name: Javier Castano (PLEASE PRINT)

Address: 76-15 35 Ave. # 1 P Jackson Hgts

I represent: Queens Latino

Address: Ethnic Modz in NYC

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/27/16

Name: Fryda Guedes (PLEASE PRINT)

Address: 55 exchange place, NY 10005

I represent: Hispanic Federation

Address: same as above

Please complete this card and return to the Sergeant-at-Arms