

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON IMMIGRATION

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

HELD AT: Council Chambers  
City Hall

B E F O R E:  
DANIEL DROMM  
Chairperson

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

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

Kyle Bragg  
Secretary-Treasurer  
Local 32 BJ

Chris Fleming  
Senior Manager of Corporate Partnerships  
Immigration Equality

Valeria Treves  
New Immigrant Community Empowerment

Samuel Palmer Simon  
New York Legal Assistance Group

Annie Wang  
American Immigration Lawyers Association

Jojo Annobil  
Legal Aid Society

Freddie Castoblanco  
Concerned Citizen

Amanda Lugg  
African Services Committee

Jessica Orozco  
Hispanic Federation

Luiz Nava  
LGBT Community Center

Vanessa Ramos  
Committee for Hispanic Children and Families

Sabrina Fong  
MinKwon Center for Community Action

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

Angela Fernandez  
Northern Manhattan Coalition for Immigrant Rights

Carmel Rose  
Emerald Isle Immigration Center

Luna Ranjit  
Adhikaar

Mubasha Ahmed  
New York Immigration Coalition

CHAIRPERSON DROMM: Good afternoon.

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

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

1 immigration law, must be fully recognized and - -  
2 U.S. citizen married to an immigrant of the same  
3 sex to sponsor his or her spouse. Clearly, there  
4 is a lot that needs to be done. The issues I just  
5 mentioned are only the tip of the iceberg in terms  
6 of immigration reform and cover just some of the  
7 issues that I encounter on a daily basis in New  
8 York City. There are many different ideas out  
9 there about what will make the best comprehensive  
10 immigration reform bill. Thus far a group of U.S.  
11 Senators and President Barack Obama each proposed  
12 a comprehensive immigration reform framework and  
13 we anxiously await legislation to be introduced.  
14 I look forward to hearing testimony this afternoon  
15 from advocates, community based organization and  
16 legal practitioners to make sure that in our call  
17 for a comprehensive immigration reform bill we  
18 take into account the diverse needs of immigrant  
19 New Yorkers. I want to make sure that the federal  
20 government considers legislation that is truly,  
21 truly inclusive. Before going any further I have  
22 introduced my committee members who are here with  
23 me already, and since we anticipate a hearing with  
24 a lot of testimony today we ask that you keep your  
25

1  
2 testimony to two minutes, and we are going to use  
3 the clock. I would like to thank everyone for  
4 attending this afternoon's hearing, and now I'd  
5 like to call up the first pane. I'd like to call  
6 up Kyle Bragg from Local 32 BJ. I'd like to call  
7 up Chris Fleming from Immigration Equality, and I  
8 like to call Valeria Treves from New Immigrant  
9 Community Empowerment. Can you just turn that mic  
10 on? Hit that red button behind it I think.  
11 Sergeant?

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

1  
2 beginning of a series of events that labor and all  
3 the partners in immigration coalition will be  
4 holding this month. Today we ask the City Council  
5 Immigration Committee to approve a resolution  
6 calling on Congress to pass and President Obama to  
7 sign a comprehensive reform bill this year. On  
8 Saturday, 32 BJ SEIU and others expect to have up  
9 to 10,000 people at a noon rally in Liberty State  
10 Park in New Jersey in Jersey City to tell Congress  
11 the time is now for common sense immigration  
12 reform. On April 4<sup>th</sup>, tens of thousands of people  
13 will join and coverage on the west lawn of the  
14 Capitol to send a message to Congress and to the  
15 President that now is the time to pass common  
16 sense immigration reform for the good of our  
17 communities, workers, our economy and our national  
18 values. This issue is not just about immigrants.  
19 It is a civil rights fight, a fight against a two-  
20 tiered society with undocumented immigrants as a  
21 second class people. We are encouraged by reports  
22 that there has been a deal on the guest worker  
23 provision of an immigration reform bill, but much  
24 remains to be done. A road map to common sense  
25 immigration reform must include these things: a

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

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

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



1  
2 move forward with comprehensive immigration reform  
3 or CIR that is truly worthy of American values.  
4 Every year, immigration equality speaks with  
5 thousands of foreign nationals, most of whom have  
6 been failed by our current immigration system. We  
7 heard from foreign nations who have invested  
8 thousands of dollars in the U.S. economy only to  
9 have an investment visa denied because there was  
10 not enough risk involved. We hear from foreign  
11 nationals who have been waiting in line for a  
12 family based green card while waiting for years to  
13 be eligible to apply. We hear from thousands of  
14 LGBT spouses and partners of U.S. citizens and  
15 green card holders who cannot get it on the visa  
16 line all but because their relationships are given  
17 no value under our current immigration system. We  
18 hear from LGBT people who fled their countries in  
19 fear and who are now stuck in permanent limbo  
20 status of withholding of removal because they had  
21 no idea that sexual orientation or gender identity  
22 could be a ground for asylum in the U.S. and so  
23 missed arbitrary one year filing deadline. We  
24 hear from LGBT detainees who live in daily fear of  
25 abuse, sexual assault and lack of medical care in

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

13 CHAIRPERSON DROMM: Thank you.

14 Valeria Treves, please.

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

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

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

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

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

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

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

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

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like to get back to you on that.

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

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

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

KYLE BRAGG: Yes, sir, Chairman.

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Thank you so much for having us.

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

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

KYLE BRAGG: Just simply put an



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

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

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

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

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

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

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year deadline.

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

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

1  
2 at what happened with DACA and what happens with  
3 TPS the deferred action for youth and then TPS,  
4 people have two year work permits. This opens the  
5 door to a lot of exploitation when your stay in  
6 this country is tied to your employer, so really  
7 the legalization process and path to citizenship  
8 should be about your physical presence in this  
9 country and not tied to your employer in any way.  
10 We also don't want excessive fees. That is going  
11 to make things very difficult. This whole talk  
12 about back taxes is really difficult for a lot of  
13 people to do, and we want to really really  
14 incredibly minimize the criminal disqualifications  
15 that would leave a lot of people out. For  
16 example, a lot of people in my community are  
17 forced to use fake social security numbers in  
18 order to secure employment. Now if we are leaving  
19 out anybody that has ever used a fake social  
20 security number, it is not a comprehensive bill.  
21 That is a lot of thousands of workers that have  
22 been forced to do that. A lot of people have  
23 already been flagged by immigration because when  
24 they cross they got caught by immigration  
25 enforcement. Those people have a record with

1  
2 immigration enforcement. They should not be  
3 excluded from the legalization bill.

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

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

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

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

1  
2 common sense immigration reform the horror stories  
3 that are out there, and it is from so many  
4 different demographics, and it is very important  
5 that all communities are engaged in this dialogue.  
6 Chairman Dromm as you were talking about the  
7 visas--if that was the unification visas, yes, we  
8 are very much in favor. We have to make sure that  
9 nothing is in this bill that serves to divide  
10 families. We are about bringing families  
11 together, and so we are very much in support of  
12 anything that unifies families. As Councilman  
13 Barron was just talking, we had some--I had Bertha  
14 Lewis from the Black Institute bring to the forum  
15 some young students who were timed out. They were  
16 the children of recruited Haitian teachers talking  
17 about a broken promise. They were recruited.  
18 They didn't seek to come to this country. They  
19 were recruited to come to this country and put  
20 into the worst schools in this city to teach, and  
21 they have done it and they have done an excellent  
22 job at it, and they brought young children with  
23 them and were given promises of citizenship, a  
24 pathway to citizenship and because of their  
25 classification now, they neither have citizenship



1  
2 and their children are timed out. Brilliant  
3 children not known what impact they can have on  
4 our communities or societies and they can't go to  
5 school. They can't get funding. It is a crime.  
6 It is a shame, and this is not the country that we  
7 should be.

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

1  
2 with their families and do the right thing, so  
3 keep up the good word.

4 MULTIPLE VOICES: Thank you.

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

25 COUNCIL MEMBER EUGENE: Thank you

1  
2 very much, Mr. Chair. I want to commend you and  
3 thank you for your leadership. I think I want to  
4 commend and thank also all my colleagues from the  
5 City Council, also the members of the Immigration  
6 Committee. You know the immigration reform was  
7 overdue, and this is something very important not  
8 only for America, but also for all the immigrants.  
9 We all know that the immigrants who come to the  
10 United States all of us we come here for the same  
11 reason. It doesn't matter what time we get here.  
12 Those who came before us they had the opportunity  
13 to enjoy the American dream, and those like me,  
14 myself, who came from Haiti or from Mexico, from  
15 China, we have the opportunity to have a piece of  
16 the American dream. We are part of this system.  
17 We are professionals. We are elected officials,  
18 but we have the moral obligation also to help the  
19 other immigrants to get the same thing. It's  
20 about justice. It's about equity, and with  
21 immigrants America is stronger, richer and I think  
22 that working together we are going to make it--we  
23 are going to allow all Americans, everyone living  
24 in the United States, all immigrants to have the  
25 same opportunities that we are enjoying now, and I

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

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

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

1  
2 wanted to make sure I said this so thank you for  
3 giving me the opportunity. I just want to align  
4 myself with all the things that my colleagues  
5 said, and of course, for my family being immigrant  
6 family, and a great number of my district being  
7 immigrant family from all over the world, it is a  
8 very important issue, and I hope it gets dealt  
9 with quickly. For one of the points that Council  
10 Member Barron said I wanted to make sure I  
11 mentioned that CUSH Church of the United Savior -  
12 - and the Black Institute are very much focused on  
13 the African and Caribbean immigration issue, which  
14 needs to be pushed out much further. Every time I am  
15 in a group of Caribbean leaders, African leaders,  
16 I tell them the great job that our Latino brothers  
17 and sisters are doing, and we have to make sure  
18 that we join that fight as well because it is  
19 definitely going to affect us and the frustration  
20 and the hypocrisy of the United States where  
21 immigrants are a mainstay and anywhere the  
22 immigrants are, economics does better, and there  
23 are industries that would crumble particularly if  
24 undocumented immigrants weren't there for them to  
25 know that and for us, society, to benefit so much

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

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

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

1  
2 of immigration legislation, particularly as  
3 enshrined on the United States relative petition  
4 process. As such, family unity must remain a  
5 central focus in any proposal for comprehensive  
6 immigration reform. Towards that end, we endorse  
7 the following initiatives: spouses and minor  
8 children of permanent residents should be re-  
9 categorized as immediate relatives, doing so will  
10 reduce the waiting period for those relatives  
11 allowing many of them to adjust to permanent  
12 residents in the United States without leaving the  
13 country and free up visas for use by other  
14 relatives of U.S. citizens and permanent  
15 residents, derivatives of immediate relatives  
16 should be granted the same status in order of  
17 consideration without a separate petition as the  
18 principal beneficiary if accompanying or following  
19 to join the principal applicant. Under the  
20 current law principal applicants must wait years  
21 to be reunited with derivatives. In conjunction,  
22 the current wait times for family petitions must  
23 be addressed by for example, raising the numerical  
24 limits on immigrants coming from certain countries  
25 such as Mexico and China. As Council Member Dromm

1  
2 and the present resolution being considered exhort  
3 we believe in the recognition of same sex  
4 marriages and the granting of full benefits to  
5 same sex spouses of U.S. citizens and permanent  
6 residents. A final note, while we firmly  
7 encourage the development of policies and  
8 procedures, which foster a more robust and  
9 sensible employment based immigration scheme,  
10 those efforts should not be made at the expense of  
11 family unity. Proposals which seek to lower caps  
12 for family based immigration in exchange for  
13 greater numbers of employment related visas are  
14 untenable and would - - contrary of the spirit of  
15 comprehensive immigration reform. A pathway to  
16 citizenship for the millions of undocumented  
17 immigrants currently living in the United States  
18 is now more than ever a pressing necessity, yet  
19 the manner in which that path is laid out will be  
20 crucial to the success of any legalization  
21 program. We would encourage the grant of  
22 conditional permanent status to undocumented  
23 immigrants who fulfill the legalization  
24 requirements. Upon compliance with all the  
25 conditions of said status conditional permanent



1 residents would then be permitted to apply for  
2 removal of the condition and to obtain lawful  
3 permanent resident status. Thereafter, those  
4 lawful permanent residents must be eligible to  
5 become U.S. citizens. Prohibiting those  
6 individuals from applying for naturalization would  
7 create a secondary class of lawful residents. The  
8 pathway to legalization should be made available  
9 to individuals with prior removal orders and  
10 grants of voluntary departure. We believe  
11 fervently that legalization should not be  
12 contingent upon border security. As long as  
13 border security and justice for undocumented  
14 immigrants are paired, the legalization process  
15 will not proceed. The border security  
16 requirements are difficult to measure and may in  
17 fact be unattainable. Due process and equal  
18 protection are important values in our justice  
19 system and must apply to any person in this  
20 country, documented or undocumented. Therefore  
21 government appointed counsel should be a guarantee  
22 for individuals who cannot afford a private  
23 attorney, so too should come in the reform of  
24 immigration detention. Detention of immigrants  
25

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

5 CHAIRPERSON DROMM: Thank you.

6 Next?

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

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

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

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

1  
2 JOJO ANNOBIL: Good afternoon,  
3 Chairman Dromm and thank you so much for inviting  
4 us to discuss the urgent need for Congress to  
5 finally address comprehensive immigration reform.  
6 The Legal Aid Society supports the pre-considered  
7 resolution. We believe that New York City's role  
8 in the comprehensive immigration reform debate  
9 must be two fold. First, we must advocate for a  
10 large scale overhaul of current immigration laws  
11 and policies by demanding a solution to the  
12 immigrant visa backlog, legalization for  
13 undocumented persons and repeal of the draconian  
14 1996 changes to the immigration and nationality  
15 act. Secondly, New York City must play a key role  
16 in planning for an efficient and effective  
17 implementation of legalization for dreamers and  
18 the undocumented should Congress pass such a law.  
19 It is so necessary for New York City to advocate  
20 for an overhaul of the current immigration laws  
21 and policies because of the frustrating impact  
22 they have on our city's families. Comprehensive  
23 immigration reform should not leave anyone behind  
24 or create a new tier of undocumented immigrants.  
25 All immigrants residing within the United States

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

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

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

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

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

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

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

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

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

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

25 largely on - - and not for profit legal service

1  
2 organizations, such organizations already cope  
3 with heavy caseloads and limited resources. New  
4 York City must step in and provide funding to  
5 assure the continued - - of quality and competent  
6 services to our city's immigrant population, and  
7 we stand ready to work with the City Council on  
8 these proposals. Thank you so much.

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

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

25 CHAIRPERSON DROMM: So some of the

1  
2 political concerns in Washington are centered  
3 around that issue, and I do want to highlight that  
4 also and state that I agree with you and what you  
5 have said and very deeply concerned about how that  
6 is going to play out as well. And then to also go  
7 to the statement that American Immigration Lawyers  
8 Association made regarding the humane reform in  
9 the deportation system is out of control. We have  
10 recently read about solitary confinement of  
11 detainees and we have even had a hearing here in  
12 this Council on the practices of some of these  
13 privately owned corporations that are involved in  
14 detention programs. Can you just also elaborate  
15 somewhat on that as well and fill me in a little  
16 bit more on that? Billions of dollars are spent  
17 each year on detention operations.

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



1  
2 to bear in mind that immigrants are being detained  
3 not necessarily for criminal offenses, often for  
4 civil offenses like entering this country without  
5 authorization, and medical studies have found the  
6 extremely harmful psychological effect of solitary  
7 confinement.

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

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your testimony.

ANNIE WANG: Thank you.

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

FREDDIE CASTOBLANCO: I am ready.

I want to thank the City Council of New York and particularly to Daniel Dromm, our council member.

CHAIRPERSON DROMM: Good to see

you.

FREDDIE CASTOBLANCO: Good to see

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

1  
2 first plan was to research in basic medical  
3 science. One year later, I decided to open a  
4 small business in New York. 11 years ago, I  
5 opened the doors of Terraza Seven [phonetic],  
6 Terraza Siete right in the middle of Elmhurst and  
7 Jackson Heights Queens in what used to be an  
8 abandoned storefront, I built a live music venue  
9 with my own hands and a team of employees that  
10 today is a vibrant center of neighborhood life  
11 where community members gather and express their  
12 political views. Terraza Seven as a point of  
13 reference for the Latin American music based in  
14 New York in events supported by the Smithsonian  
15 Institution, the Guggenheim Museum, the Queens  
16 Council on the Arts among others local artists  
17 present their work. At this moment in our  
18 partnership with Flushing Town Hall Museum we are  
19 - - that reflects the diversity of Queens and the  
20 - - cultures that take place here to music. I am  
21 also proud to create jobs for my community. In  
22 2011, we as small business owners, started 28  
23 percent of all business in the U.S. As immigrants  
24 we - - committed - - revitalization of our  
25 communities in different ways. Our healthy and

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

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

13 CHAIRPERSON DROMM: Thank you, and  
14 Amanda?

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

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

25 AMANDA LUGG: Thank you. African

1  
2 Services Committee is a 30 year old non-profit  
3 organization based in Harlem dedicated to  
4 improving the health and self-sufficiency of the  
5 African community. We provide health, housing,  
6 legal, education, social services to over 10,000  
7 newcomers each year with a focus on HIV  
8 prevention, care and support. ICE, the  
9 immigration customs enforcement, detains over  
10 400,000 immigrants including thousands of asylum  
11 seekers in 250 jails and jail like facilities  
12 across the country at a cost of two billion  
13 dollars annually, despite the existence of  
14 effective and less costly alternatives to  
15 detention. ICE interprets appropriates language  
16 to mandate a daily detention level of 33,400, an  
17 approach that does not exist in any other law  
18 enforcement context in this country and that  
19 prevents the agency from saving taxpayer dollars  
20 by using more appropriate alternatives to  
21 detention when detention is not necessary. In  
22 fact, criminal justice systems across the country  
23 have recognized that effective alternatives can  
24 create cost savings and more humane outcomes while  
25 also achieving governmental objectives. As

1  
2 documented by human rights first the bi-partisan  
3 U.S. Commission on International Religious  
4 Freedom, human rights authorities, prison experts,  
5 correction officials and the American Bar  
6 Association all confirm that jails and jail like  
7 facilities are inappropriate for civil immigration  
8 detainees. As such, and to bring U.S. immigration  
9 law in line with U.S. human rights commitments,  
10 African Services Committee recommends the  
11 following detention priorities for comprehensive  
12 immigration reform: repeal of those sections of  
13 the immigration and nationality act that require  
14 the mandatory detention of immigrations, stop gap  
15 measures that will mitigate mandatory detentions  
16 adverse impact until total repeal of mandatory  
17 detention is achieved, include the elimination of  
18 the detention bed mandate, a change in the  
19 definition of aggravated felonies so that fewer  
20 people are included in the mandatory detention  
21 category, and redefining detention as government  
22 custody or other restriction on individual liberty  
23 and recognize that alternative forms of detention  
24 can constitute custody and require establishment  
25 of government funded community support programs,

1  
2 which provide case management and access to a  
3 combination of local services for individuals  
4 being released from immigration to detention to  
5 promote safety and self-sufficiency and legal  
6 representation, also to require DHS to implement  
7 standards and conditions in line with the American  
8 Bar Association's proposed civil immigration  
9 detention standards. Finally, in addition, access  
10 to affordable healthcare and nutrition assistance  
11 is necessary to fully integrate aspiring citizens  
12 and provide them with the opportunity to learn to  
13 work and to contribute to their communities;  
14 therefore, African Services also recommends the  
15 following healthcare priorities to be included in  
16 immigration reform: do no harm to programs that  
17 are available regardless of immigration status  
18 such as food banks, community health centers, no  
19 new restrictions or waiting periods to existing  
20 programs including the affordable care act, the  
21 ability to buy affordable health insurance through  
22 the exchanges under the ACA--the affordable care  
23 act, ability to obtain ACA tax subsidies that help  
24 make insurance more affordable, allow all lawfully  
25 present children and pregnant women including



1  
2 aspiring citizens to apply for SNAP, Medicaid and  
3 CHIP without a waiting period, eliminate the five  
4 year waiting period for Medicaid for low income  
5 immigrant parents and seniors, and count the  
6 number of years in provisional status towards the  
7 five year waiting period for federal benefit  
8 programs, provide additional funding and support  
9 to safety net providers to serve uninsured  
10 immigrants and finally, to provide states  
11 additional funding for integration programs that  
12 include access to affordable healthcare and  
13 nutrition assistance. Thank you very much.

14 CHAIRPERSON DROMM: Thank you.

15 Jessica?

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

1  
2 to work tirelessly to pass immigration reform this  
3 year. Earlier this year HF issued its policy  
4 brief on immigration reform, which highlights the  
5 key principles necessary to enact fair and  
6 comprehensive immigration reform, and I have given  
7 you a copy of that as well. In addition, we are  
8 organizing immigration town halls to educate and  
9 mobilize Latino community and allies in support of  
10 immigration reform. We will also be holding a  
11 lobby day in Washington D.C. sending hundreds of  
12 Latino community members to our nation's capital  
13 to meet with legislators and advocate for the  
14 passage of immigration reform. There is a broad  
15 consensus that our immigration system is  
16 irrevocably broken, plagued by visa backlogs,  
17 bureaucratic delays and outdated policies. The  
18 impact on families is incalculable. Millions of  
19 U.S. citizens and immigrants alike are forced to  
20 wait excruciatingly long periods before they are  
21 reunited with close family members. Latinos in  
22 the U.S. are disproportionately affected by the  
23 backlogs. Those wishing to sponsor an adult under  
24 the age of 21 from Mexico for instance sometimes  
25 wait over 20 years before the application is

1  
2 processed. Families are being torn apart. Nearly  
3 45,000 undocumented parents of U.S. citizen  
4 children were deported in the first six months of  
5 2012, and at least 5,100 of their children now  
6 live in foster care in 22 states, creating  
7 considerable public costs and great human  
8 suffering. The impact of the civil rights of  
9 Latinos is unjustifiable. 93 percent of Latinos  
10 under the age of 18 are U.S. citizens, as are 74  
11 percent of Latino adults. Regardless of status  
12 every Latino in the United States can have his or  
13 her civil rights violated by states and localities  
14 engaging in legally sanctioned racial profiling,  
15 be held for days in local jail without charge and  
16 detained without due process. Our system is badly  
17 broken and it is a national shame. We can and we  
18 must do better. The Hispanic Federation maintains  
19 that the following priorities are crucial to  
20 advancing immigration legislation that is fair,  
21 preserves family unity and honors immigrants  
22 significant contributions to our nation: provide a  
23 clear, fair and workable path to citizenship for  
24 undocumented immigrants and their families, which  
25 affords them immediate legal status to live and

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

1  
2 health and anti-discrimination protections. All  
3 of us in this room cherish the promise of the  
4 American dream. We now have an opportunity to  
5 make this dream a reality for the millions of  
6 friends, neighbors and community members who are  
7 ready to earn the opportunity if given a fair  
8 chance. Now is the time to bring them out of the  
9 shadows, fully integrate them into our society and  
10 have them join us as fellow American citizens.  
11 The time for immigration reform is now.

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

1  
2 sense, but what I am curious about is this number--  
3 -the 33,400 daily detention level. I had never  
4 heard that before. Can you just tell me a little  
5 bit more about that and the appropriations--

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

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

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

1  
2 lobbyists to work on the hill to increase  
3 enforcement measures in our immigration laws.

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

6 AMANDA LUGG: Exactly.

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

9 AMANDA LUGG: Exactly.

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

12 AMANDA LUGG: Exactly.

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

18 COUNCIL MEMBER BREWER: I love  
19 Freddie.

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

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to start?

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

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

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



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

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

25 CHAIRPERSON DROMM: Thank you.

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

1  
2 Committee we have a number of programs, and we  
3 have seen the barriers and the obstacles  
4 immigrants face. In our school programs parents  
5 are very afraid to come forward and ask questions  
6 from the principals. In our Hurricane Sandy  
7 efforts we have canvassers that come back with  
8 information that many people do not want to seek  
9 assistance or help that is available to them for  
10 fear that they will be reported to ICE or to  
11 immigration authorities, and many immigrants do  
12 not report crimes or are victims of crime because  
13 they are afraid that the police will turn them  
14 over to immigration. Remember that there is  
15 secure communities that people are very afraid of.  
16 In some immigration it's not just a political  
17 issue. It is a humanitarian issue. The U.S.  
18 Congress has a responsibility to pass legislation  
19 that is comprehensive, humane and fair and allows  
20 the millions of families left behind by the  
21 current laws to step out of the shadows and come  
22 into the light. Thank you.

23 CHAIRPERSON DROMM: Thank you very  
24 much.

25 SABRINA FONG: Good afternoon,

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

1  
2 their U.S. citizenship. In Flushing, our home  
3 base, over 70 percent of the Korean community is  
4 foreign born. Needless to say immigration reform  
5 is a critical issue for our community. As a  
6 second generation Asian American, I have  
7 benefitted tremendously from America's family  
8 based immigration system. My father came to the  
9 U.S. in 1970 with the hope of starting a new life  
10 in a new country with his wife. With his brother  
11 petitioning for him, my father was able to come to  
12 the U.S. at just 19 years ago age. He attended  
13 public high school in Manhattan and worked almost  
14 every night. Today he is a vital part of our  
15 community and a father of three children. I would  
16 not be here today if my uncle could not sponsor  
17 him; however, at last week's Asian Pacific  
18 American community town hall on immigration reform  
19 it was clear that my family was lucky. Drawing in  
20 a crowd of over 200 people, the town hall has  
21 lifted up the stories of individuals directly  
22 affected by our broken immigration system and has  
23 crystallized the need to increase family based  
24 visa categories. Today Asian Americans are the  
25 most likely group to have close family members

1  
2 still remaining abroad, accounting for nearly one-  
3 third of all family based immigration visas in the  
4 U.S. Currently families must wait up to 13 years  
5 to be reunited with a sibling from Korea, and a  
6 startling 23 years for a sibling from the  
7 Philippines. This is a critical issue for our  
8 community. Due to these substantial backlogs for  
9 issuing family visas, 1.8 million people are  
10 currently waiting in Asian countries to be  
11 reunited with their loved ones, yet instead of  
12 trying to address these backlogs, Congress is now  
13 threatening to drop provisions for the U.S.  
14 citizens to be able to sponsor their siblings and  
15 their adult children. Instead of an immigration  
16 system that keeps families together, Congress is  
17 advocating for a system that is employment based.  
18 They are proposing a future where individuals like  
19 my father would not be able to come. We at the  
20 MinKwon Center feel that this change would be  
21 misguided and destructive. The need for family  
22 based visas and work based visas are complementary  
23 issues that must not be pitted against one  
24 another. This false dichotomy harms the very  
25 foundation that our immigrant community was built

1  
2 upon. In fact studies found that differences  
3 between family and employment categories may exist  
4 only a few years after an immigrant's arrival and  
5 that skills and family based immigrants are in the  
6 same within five years of coming here. As we push  
7 for immigration reform now, it is important that  
8 we do not lose sight of this for our families and  
9 for our communities at large. While we are  
10 pleased to see that the City Council has  
11 recognized the need to promote family unification  
12 in its pre-considered resolution, we are concerned  
13 about the lack of specificity and request that the  
14 actual resolution contain more specific language  
15 around increasing family based visas including  
16 expanding the number of visas provided for  
17 siblings and adult married children. We must  
18 remember America's immigration system was built on  
19 the fundamental belief that families should be  
20 kept together. The MinKwon Center stands ready to  
21 work with this Committee to ensure that this long  
22 overdue reform of our immigration system  
23 recognizes the vital contributions immigrants make  
24 to this country and promotes dignity and respect  
25 for immigrants and their families. Thank you so



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much for your time.

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

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

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

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

[crosstalk]

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

SABRINA FONG: Yes.

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CHAIRPERSON DROMM: Okay.

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

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

CHAIRPERSON DROMM: Has the commissioner been to the center?

LUIZ NAVA: No, actually--I will

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

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

17 LUIZ NAVA: Thank you so much.

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

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

1  
2 people waiting for visas, and this came out in the  
3 state department annual report of November 2012,  
4 so I think that is important--that report is  
5 important.

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

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

1  
2 Brooklyn and Staten Island and the - - and the  
3 progressive elected officials who believe in this  
4 issue that we have been able to say that we can  
5 say today that we are close, that we hope that we  
6 are close to get that comprehensive happening;  
7 however, as our chair said now it is our time to  
8 be sure that we put out input so that we take care  
9 of any details that the White House that we had  
10 the pressure not to include it because this is the  
11 most important battle. I think that the first - -  
12 was about bring the discussion. The second one is  
13 to bring both parties together. The third one is  
14 the most important is what will be included, what  
15 will be included in that one, and that is where  
16 there is going to be a lot of pressure especially  
17 from the more conservative people to leave some of  
18 the details out and we have to continue  
19 organizing. We cannot just lay back as you know  
20 is happening and we have to just wait. The last  
21 thing that I have got to say that at the same time  
22 that we are pushing the details I hope that - -  
23 all the CBOs that work with this issue, you also  
24 are getting ready to provide all those services  
25 that the immigrants will come to your office

1  
2 because if not, then we will leave the door open  
3 for people that will try to take advantage of  
4 those immigrants that will need to fill out all of  
5 those papers, that will quality to benefit from  
6 that, so thank you and I just wanted to say that  
7 because I have to go back to the other hearing.

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

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

1  
2 the state and localities to the best of your  
3 knowledge in terms of all the support that would  
4 be needed?

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

1  
2 CHAIRPERSON DROMM: I couldn't  
3 agree more, and just to reiterate what Council  
4 Member Brewer was saying because we mentioned this  
5 a little bit earlier in the hearing--because  
6 immigration is in civil court, it is often people  
7 are not afforded the same legal resources they  
8 would be if they were in criminal court, so  
9 finding and having sufficient money and funding to  
10 make sure that people are aware of their rights  
11 and that the application process can be completed  
12 properly is an issue of major concern to all of us  
13 I think.

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

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



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[crosstalk]

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

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

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

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

CHAIRPERSON DROMM: Yeah.

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

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

1  
2 without a fair hearing and without representation  
3 from legal counsel. The immigration reforms of  
4 1996 which actually Jojo Annobil referred to,  
5 which brought in the categories of mandatorily  
6 deportable offences, have had a devastating impact  
7 on New York residents. Tens of thousands of  
8 individuals from New York City have been  
9 mandatorily deported without any consideration of  
10 military service--these are green card holders who  
11 have gone to fight in the wars--rehabilitation,  
12 family ties, history of tax payment or the needs  
13 of U.S. citizen children or elderly parents.  
14 Because of the 1996 reforms immigration judges  
15 ability to adjudicate deportation hearings fairly  
16 have been severely constrained. It is imperative  
17 that CIR reinstate immigration judges' ability to  
18 use discretion in mandatory deportation cases.  
19 Judges must have the ability to take into  
20 consideration the impact that deportation would  
21 have on children in the family, the hardship  
22 family members will experience as a result of the  
23 deportation, the length of time in the U.S. and  
24 something that people don't talk about much, which  
25 is the lack of connection to the country of

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

1  
2 lawyers make a huge difference. Lawyers can  
3 increase success rates by approximately 1000  
4 percent. What happens is that an immigrant who is  
5 detained once they have an attorney their  
6 likelihood of actually being released from  
7 detention is extremely high. Now will the  
8 deportation end? Maybe not, but their being  
9 outside of prison or detention allows them to  
10 communicate more freely and more easily with their  
11 attorneys, so their attorney can make a better  
12 case for them. In the last five years, over 7,000  
13 New York City children lost a parent to  
14 deportation with a program for appointed counsel  
15 far fewer families would be torn apart. We  
16 support a comprehensive immigration reform that  
17 restores judicial discretion and mandatory  
18 deportation hearings and provides free legal  
19 representation to all detained immigrants. Thank  
20 you.

21 CHAIRPERSON DROMM: Thank you. - -

22 .

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

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

1  
2 In the current fiscal year to date we have  
3 represented clients from 52 different countries.  
4 The immigrant communities that we serve consist of  
5 hardworking individuals looking to improve their  
6 own lives and those of their families. For every  
7 client that we are able to assist to obtain a  
8 permanent residence or citizenship, there is at  
9 least a dozen others who do not have any options  
10 under current immigration laws to formalize their  
11 status. Many of them pay taxes, have no criminal  
12 records and have children or relatives who are  
13 U.S. citizens or permanent residents. Some own  
14 homes and businesses employing American workers;  
15 however, due to their immigration status  
16 violations, they are ineligible for immigration  
17 benefits without suffering harsh bars and  
18 separation from their families, businesses and  
19 roots within the United States. As a result of  
20 their lack of immigration status, they are not  
21 eligible to drive, obtain affordable healthcare,  
22 seek financial aid, travel overseas to visit  
23 family and they remain in immigration limbo. We  
24 would like to thank the New York City Council  
25 Committee on Immigration for introducing this

1 resolution and holding this hearing today. We  
2 respectfully urge this committee and the entire  
3 City Council to pass this resolution and send a  
4 message to their colleagues in Congress to pass  
5 comprehensive immigration reform immediately to  
6 fix a dysfunctional immigration system and provide  
7 a path to legal status and ultimately citizenship  
8 to many undocumented New Yorkers. Over the next  
9 few weeks we look forward to seeing a bill  
10 introduced in Congress to move the process  
11 forward. We support the current bi-partisan  
12 discussions and proposals towards a comprehensive  
13 and fair immigration reform bill. With the right  
14 balance between access and enforcement and the  
15 inclusion of proposals for future flow to the  
16 United States. We hope that a final comprehensive  
17 immigration reform bill will embrace the following  
18 principles: a clear, direct and inclusive path  
19 towards citizenship. A bill must be both fair and  
20 inclusive towards the undocumented currently  
21 living in the United States. It should permit  
22 everyone live and working in the United States to  
23 earn citizenship within a reasonable time and  
24 respect the unity of the family and those  
25



1  
2 currently waiting in line to obtain legal status.  
3 We need to avoid the creation of an underclass of  
4 immigrants who will never be eligible to attain  
5 the rights and responsibilities of U.S.  
6 citizenship. A legalization program towards  
7 citizenship should also not be conditions on the  
8 satisfaction of uncertain and unclear triggers  
9 involving border enforcement and employment  
10 verification. All immigrants should also have the  
11 opportunity for full civic participation and  
12 integration in our communities. Immigrants must  
13 be given the tools to fully participate in our  
14 society. Local immigrant communities need  
15 resources to provide English language classes,  
16 citizenship preparation and other support that  
17 immigrant families need to become full  
18 participants in the wider community. Long term  
19 and sustainable future flow of migration while  
20 respecting the rights of immigrant workers--new  
21 opportunities must be available to those who are  
22 qualified and whose skills are needed to support  
23 the U.S. economy and labor market. This will also  
24 help alleviate the demand, incentives and abuse  
25 towards the employment of undocumented workers.

1  
2 An efficient and accurate system to ensure  
3 compliance by U.S. business to employ workers  
4 should be established to also respect the rights  
5 and privacies of all employees. Ensure  
6 fundamental due process in the immigration system.  
7 Finally, we must move away from the enforcement  
8 first approach and efforts to detain and deport  
9 immigrants. These efforts are wasting resources  
10 and taxpayer dollars. Civil rights and the trust  
11 between immigrant communities and law enforcement  
12 needs to be restored by changing current  
13 deportation policies and ending enforcement  
14 programs deputizing local authorities. All  
15 immigrants threatened with removal should also be  
16 provided their day in court and the opportunity  
17 for legal representation. With your support, we  
18 can send a message to Congress and the president  
19 that now is the time to pass meaningful and real  
20 comprehensive immigration reform. Thank you.

21 CHAIRPERSON DROMM: Luna?

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

1  
2 the New York City Council Committee on Immigration  
3 and especially Chairman Danny Dromm for this  
4 opportunity. I really appreciate this  
5 opportunity. Adhikaar represents the growing  
6 Nepalese speaking community. Almost all of our  
7 community members are first generation immigrants,  
8 and so all of the issues that have been discussed  
9 today, brought up by all the previous speakers are  
10 very relevant to our community as well and since  
11 our inception in 2005, Adhikaar has been actively  
12 advocating for a fair and humane immigration  
13 reform, and this year as well we are hoping for a  
14 new bill that it looks likely we fully support  
15 immigration reform that is rooted in human rights  
16 for all; however, the proposals that have been  
17 circulated, what we have been hearing seems to not  
18 incorporate everyone in our community and a  
19 possibility of creating more problems for our  
20 community members as well as millions of other  
21 undocumented immigrants as well, so in order to  
22 ensure that the immigration reform process  
23 protects all immigrants particularly low wage,  
24 informal sector workers that form the base of our  
25 membership a number of specific protections that

1  
2 must be included in any reform legislation--first  
3 of all, it would be the path to citizenship should  
4 be streamlined and the proposed fees and fines and  
5 long waiting periods creates more of an obstacle  
6 course than a path a citizenship. With the high  
7 fees community members may forgo taking advantage  
8 of the opportunities especially for people making  
9 below minimum wages, thousands of dollars in fees  
10 and fines is not feasible. Additionally, another  
11 thing that really concerns us is the linking of  
12 immigration status with work requirements. All  
13 the proposed bills since 2006 have said people  
14 have to prove either some employment or more  
15 recently continuous employment, and for workers in  
16 the informal sector where they are forced to work  
17 under the table, including day laborers, domestic  
18 workers, nail salon workers, restaurant workers  
19 and many other informal sector workers proving  
20 employment is next to impossible and proving  
21 continuous employment will be not possible at all.  
22 Also, making workers dependent on their employers  
23 in order to legalize will make them even more  
24 vulnerable where unscrupulous employers will take  
25 advantage of their situation. Also, there should

1  
2 be more protections for workers because currently  
3 undocumented workers when they see some problems  
4 in the workplace are afraid to speak up for fear  
5 of being reported to the immigration authorities,  
6 and as a result not only undocumented workers, but  
7 all workers in that sector suffer. So there is  
8 other protection that needs to happen - - also the  
9 e verify program has a lot of problems. There  
10 have been a lot of mistakes, and unfortunately it  
11 is the workers who end up paying the price of a  
12 technical problem and so e verify should not be  
13 made mandatory at all, and the problems within the  
14 program should be addressed even for those who opt  
15 into the program as well. The other aspect of the  
16 visa program that I want to touch upon is the u  
17 visa and t visa programs for workers who have  
18 experience or witnessed serious forms of abuse.  
19 The way those visas are currently defined do not  
20 protect a lot of workers, and we want to make sure  
21 that these visas can be available for those who  
22 have experience with - - or fraud in workplace or  
23 by immigration fraud as well. The final point I  
24 want to make sure that all families and loved ones  
25 are kept together, and that means reducing visa

1  
2 backlogs and making sure that family members'  
3 visas are not cut - - current proposal to limit  
4 who counts as family is very disturbing, and so  
5 this will just keep families separated for longer,  
6 and that includes both extended family as well as  
7 LGBTQ families as well, and so want it to be more  
8 inclusive, not exclusionary. And also a small  
9 point is that however long the process takes we  
10 want to make sure that in the interim period the  
11 people who are waiting to adjust their status have  
12 all the rights, including the right to travel  
13 outside of the United States so they can visit  
14 their family and loved ones. And thank you very  
15 much for this opportunity.

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

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

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

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



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

25 CHAIRPERSON DROMM: Thank you very

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

5 ANGELA FERNANDEZ: Yes.

6 CHAIRPERSON DROMM: Emerald Isle?  
7 Everybody?

8 MUBASHA AHMED: Yes.

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

14 ANGELA FERNANDEZ: No. No.

15 CHAIRPERSON DROMM: So even  
16 children--

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

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

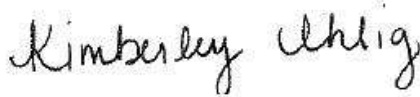
1  
2 thank you again to everybody. Thank you to the  
3 panel for coming in. I really appreciate you  
4 being last but not least, and perhaps, most  
5 importantly heard Max's story. Congratulations on  
6 your driver's license. Maybe I'll meet you on the  
7 road. To Luna and to everybody, I feel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

13 [gavel]

C E R T I F I C A T E

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

Signature

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

Date 4/18/13

A double horizontal line, likely representing a date stamp or a signature line.