

**Testimony of Mr. Ace Robinson, Gay Men's Health Crisis
New York City Council Committee on Immigration, January 25, 2012**

Thank you to City Council Member Dromm, the Committee on Immigration, and the New York City Council for calling this hearing. I come to you today to offer my remarks as an American citizen who has resided in post-apartheid South Africa, Haiti and Senegal in West Africa. Most recently, I lived in the cities of Phoenix, Arizona followed by Los Angeles and now I have relocated to New York City, living in the Bronx. In addition, I am a trained biological scientist, social scientist and public policy advocate who has witnessed, first hand, how discrimination has led to the reduction of health outcomes for individuals and for entire communities.

I come to you today also as an employee of Gay Men's Health Crisis. The world's oldest HIV/AIDS service organization. GMHC is and has historically been a national leader in the fight against AIDS. We have helped countless men and women and the families that love them to live better and healthier lives. GMHC was founded by a group of brave individuals who dared to have the compassion to care for the people who – for one reason or another – did not receive the respect and human dignity that they rightfully deserved. The mission of GMHC can be best described by the well-known phrase: "Give us your poor, your tired, your huddled masses longing to be free." We fight to reduce the challenges that those infected and affected by HIV face each and every day.

At one time, the people who were most impacted by HIV had any number of characteristics and demographics. Today, that is not true. Our clients that we advocate for on a daily basis share very similar demographics. They are disproportionately People of Color, of lower socio-economic status and less educated. From this pool, those clients of foreign origin or who speak English as a Second Language (ESL) often are at an even greater risk for contracting HIV. These particular individuals face daily challenges to realizing a stable and healthy existence.

As a health and social advocate for those who often are without political voice, GMHC supports Resolution No. 1193. This allows the Council to support an "amicus" brief to be filed in the U.S. v Arizona case that the U.S. Supreme Court is hearing. The brief would support the U.S. position on the litigation. The case involves the constitutionality of an Arizona statute, commonly known as S.B. 1070. In short, 1070 gives the police the right to stop any person, at any time, and ask for their immigration documentation. S.B. 1070 is unconstitutional since it is, in effect, allowing Arizona state officials to enforce immigration laws. The U.S. is ensuring that all citizens and residents are treated with fairness and without implicit or explicit discrimination no matter what color, ethnic origin, or socio-economic status.

As Council Members may already know, GMHC has a staff of experienced attorneys, accredited immigration advocates, and volunteers who provide free legal services to people living with HIV/AIDS. The people receiving these services come from all walks

of life. We assist clients with immigration matters, employment discrimination and public benefits, just to name a few of our services.

And as a local and especially as a national advocate for these individuals, GMHC fully supports the City Council passing Resolution No. 761 because it addresses the concerns about the operation of the Immigration Courts, some of which were highlighted in a recent Supreme Court opinion, *Judulang v Holder*. In *Judulang*, in reversing the decision of the 9th Circuit and the Immigration Court, Justice Kagan observed that the Immigration Court based its decision on "an irrelevant comparison between statutory provisions" that did not relate to the case before it. Justice was not upheld in the lower court, and it took many expensive appeals before the Supreme Court finally corrected it.

We believe the Council knows that the people staffing the Immigration Courts are hardworking and ethical individuals. And that they are doing the best they can with the limited resources available to them. Since Resolution No. 761 promotes additional funding to add competent judges to the Immigration Courts, and because it also, and most importantly, adds diversity on the bench, Gay Men's Health Crisis believes this is a step toward addressing the lack of resources at the heart of what obviously went wrong in the *Judulang* case and others like it.

In closing, I would like to commend the City Council for taking an active stance ensuring all people are treated with decency and respect, irrespective of their background or current location in the United States of America. As a new resident of this fine city, I am highly impressed and humbled to be represented by a group of conscientious, fair and caring group of legislators.

Thank you again for allowing me to speak and I look forward to working with you in the coming years.

**Statement of
Haitian-Americans United for Progress
Hearing on Resolution No. 1096**

Resolution calling upon the Department of Homeland Security to create a Haitian Family Reunification Parole Program, which would benefit Haitians recovering from the January 12, 2010 earthquake by allowing Haitians with approved family-sponsored immigrant visa petitions to come to the United States.

**Council of the City of New York
Committee on Immigration**

January 25, 2012

My name is Jocelyn McCalla and I am pleased to testify today before this Committee on Resolution No. 1096, on behalf of the Haitian-Americans United for Progress (HAUP).

HAUP was founded 37 years ago by Haitian-American community leaders and advocates to help resettle and integrate Haitian asylum-seekers and immigrants in New York City. These leaders included the Most Rev. Guy Sansaricq, auxiliary bishop of Brooklyn and Ms. Carolle Berotte Joseph who is currently serving as President of Bronx Community College.

HAUP is located in Cambria Heights which is home to the largest Haitian-American enclave outside of Brooklyn. While HAUP began as a volunteer-based organization focused initially on responding to the needs of Haitian immigrants and refugees, it has since expanded and offers its multitude of services to newcomers and citizens alike. Under the leadership of Executive Director Elsie Saint-Louis, HAUP has risen to serve annually some 15,000 people who come to us from Cambria Heights proper as well as from Queens Village, Jamaica, Springfield Gardens and Laurelton. We provide services to clients in Brooklyn through our ambulatory programs. Residents of Elmont and Hempstead on Long Island also seek our services and support, since we are located so close to the border with Nassau County.

Regarding Resolution 1096

The Obama Administration responded remarkably fast and aggressively to the major catastrophe that hit Haiti some two years ago on January 12, 2010. The United States deployed thousands of troops to support the actions of a government that had literally collapsed, and to facilitate the relief and recovery response that poured from all over the world into Haiti. Stateside, it promptly granted Temporary Protected Status to Haitian non-immigrants who were in the United States at the time. Last year, the Administration extended TPS for this class and broadened it to include Haitians who had hurriedly joined their relatives after the earthquake

because their livelihood had been destroyed. Most recently, the Administration has decided to allow Haitians to take part in the guest worker programs that U.S. growers and farmers use to ensure that they have sufficient legal labor to bring in the harvest.

Yet there's one more step that the Administration could have taken and which – as Res. 1096 notes – it has not taken: it has not speeded up the family reunification process for Haitian immigrants who are already in the pipeline. These Haitians could be paroled and safely reunited with their relative sponsors in the United States while awaiting their final immigrant visa interviews. Such a program already exists for Cuban nationals. Failure to establish it for Haitians raises issues of double-standards.

HAUP supports the Resolution and urges the Committee on Immigration and the entire NY City Council to approve it. Such an action would send a very strong signal to the Obama Administration that this great city – which has one of the most diverse and productive immigrant populations in the United States – supports a Haitian Family Reunification Parole Program

Haitian Reality Today

Haiti's recovery barely got off the ground in 2010, in spite of the close to \$10 billion pledged at the March 2010 International Donors Conference, and the commitment to hasten efforts to build Haiti back better. As time went by, frustrations with political management of Haitian affairs and of the recovery efforts led both Haitians and their international allies to turn to electoral politics. These turned out to be highly controversial; a disaster was only averted by heavy-handed management of the process by the US and its key allies. Haiti's capital, Port-au-Prince, remains home to more than half a million internally displaced earthquake refugees. Many have returned to homes that are unsafe.

While the United States and its allies have done much in the past year to support Haiti's recovery and reconstruction, economic growth and political stability remain a dream deferred. We hope that Haiti's new President and legislature will provide the leadership necessary to allow for growth and prosperity. Most observers however agree that real economic progress is years away. Meanwhile, Haiti remains vulnerable to the vagaries of nature (floods, tropical storms, hurricanes) and societal misfortunes (health emergencies such as cholera outbreaks, malnutrition, increased commodities and food costs due to world price fluctuations).

Conclusion

Haitian-Americans United for Progress resolutely supports the adoption of Res. 1096. We are prepared to offer support to the beneficiaries of a Haitian Family Reunification Parole Program once it is promulgated. We can help ease resettlement woes for the newcomers, and assist their relatives who are either resident or citizens with the inevitable questions that arise in such situations. In short, we believe that this is the right thing to do and we urge the Committee and the Council to adopt the resolution unanimously.

Laura McLoughlin
Manager of Business Development
Diaspora Community Services
Brooklyn, NY 11217

Good Morning, my name is Laura McLoughlin. I am here on behalf of Carine Jocelyn, Executive Director of Diaspora Community Services. Diaspora Community Services, formerly known as the Haitian Women's Program is an international nonprofit organization with offices in Brooklyn and in Port au Prince, Haiti. I am here today in support of Haitian families and the Haitian Family Reunification Parole Program.

Since Haiti's devastating earthquake two years ago, Diaspora has been at the forefront in providing much needed support and services both locally and in Haiti. Diaspora's commitment and knowledge of the Haitian community is demonstrated in over 30 years of service. The Haitian population works very hard and similar to other immigrants want a better life for their families. Unfortunately in Haiti though, where there are good intentions there remains widespread devastation. Despite the promises and statements of many world leaders and public officials, an estimated 500,000 people still live in tents and thousands live on the streets. Families have been divided across continents as a result of this tragic earthquake

To address such hardships in the past, the U.S. established the Family Reunification Parole Program which allows immigrants in other countries who have been approved for family reunification and visas to come to the United States and be with their family members while they await their visa. This allows legal status in the U.S., giving immigrants the right to work and contribute to their own growth and the rebuilding of their home country.

Thousands of Cubans have come to the U.S. under this program; we ask that Haitians be given the same fair and equal opportunity. The nation of Cuba has historically provided a greater educational opportunities, better medical care, better food, housing and overall, a greater quality of life to its citizens than most Haitians have ever imagined. We are not asking for special privileges for the Haitian community, only that which is right and fair.

New York has through most of its history provided a refuge and an opportunity for many of the worlds' disadvantaged to build a new life. The Haitian people seek our support of the Reunification Parole Program and the opportunity to advance the lives of their loved ones and ultimately the livelihood of their nation.

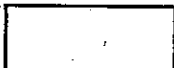
Along with many Republicans and Democrats we urge President Obama and Secretary Napolitano of the Department of Homeland Security (DHS) to take a simple step to save lives and speed recovery. The Haitian Family Reunification Program would cost virtually nothing while reuniting families and helping thousands in Haiti. DHS has approved them for U.S. residency and all have a U.S. family support network in place. Many have paid a large fee to the U.S. Treasury, and yet for no apparent reason have been delayed access into the United States.

For two full year's administration officials have stalled on the Haitian Family Reunification Act, stating the step is "under consideration". Under consideration has become a euphemism for apathy. This is an outrage. 112,000 people in Haiti are beneficiaries of family-based visa petitions which the DHS has already approved but who nevertheless remain on a 3 to 10 year waiting list in Haiti, where many must survive under poor living conditions, poor access to health care, inadequate housing, limited employment and a recent cholera outbreak.

In closing Diaspora Community Services remains committed to supporting the needs of the immigrant communities in New York. Diaspora supports Resolution No. 761, Resolution No. 1096 Resolution No. 1193. The Haitian Family Reunification Parole Program must be promptly enacted in order to improve and save lives of thousands of Haitians. It is truly the only humane and just course of action.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. 761

in favor in opposition

Date: 25 January 2012

(PLEASE PRINT)

Name: Ace Robinson

Address: 615 E 138th St, NY, NY

I represent: Gay Men's Health Crisis

Address: 446 W 33rd St, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. 1096

in favor in opposition

Date: 1/25/12

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Name: Laura McLoughlin

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. 1193

in favor in opposition

Date: 25 January 2012

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 1096
 in favor in opposition

Date: January 25, 2012

(PLEASE PRINT)

Name: JAMES DESBROSSES
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THE CITY OF NEW YORK**

Appearance Card

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 in favor in opposition

Date: 01-25-12

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THE CITY OF NEW YORK**

Appearance Card

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 in favor in opposition
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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 1096
 in favor in opposition
Date: January 25, 2012

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