

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: November 21, 2017

SUBJECT: Report on PR 22-448, “Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017”

The Committee of the Whole, to which Proposed Resolution 22-448, the “Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017” was referred, reports favorably thereon **with amendments**, and recommends approval by the Council.

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I. BACKGROUND AND NEED

The purpose of PR 22-448, the “Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017,” is to call upon the United States Congress to take immediate legislative action to protect DACA recipients. On September 5, 2017, Attorney General Jeff Sessions announced that the Trump Administration was ending the Deferred Action for Childhood Arrival (DACA) program. Unless Congress acts by March 2018, individuals who were protected from deportation because of DACA will no longer be safe. Thus, it is imperative that Congress pass legislation to protect DACA recipients.

On June 15, 2012 President Obama announced the creation of the DACA program. Under this program, individuals whose parents brought them to the United States illegally when they were children were given a two-year reprieve from deportation and could renew their deferred status every two years. Additionally, individuals were authorized to work or attend school. To qualify for the program, individuals had to satisfy the following requirements:

- Be younger than 31 years old as of June 15, 2012;
- Entered the United States when he or she was 15 years old or younger;
- Continuously resided in the United States from June 15, 2017 onward;
- Physically present in the US as of June 15, 2012 and when the individual applied to the DACA program;
- Not lawfully in the country on June 15, 2012;
- Either in school, graduated from high school, received a GED, or honorably discharged from the US Armed Forces or US Coast Guard; and
- Never convicted of a felony, serious misdemeanor, three or more misdemeanors or posed a national security or other criminal threat.¹

Since the creation of the DACA program, approximately 800,000 individuals have met the above criteria and received deferral under the program. It is estimated that almost two million individuals also would have been eligible to participate in the program if the Trump Administration did not end it.² As of September 2017, over 900 DACA recipients reside in the District of Columbia and over 13,000 reside in the Washington, D.C. area.³ Additionally, approximately 350,000 DACA recipients are enrolled in an institution of higher education, with hundreds of them attending college in the District.⁴

At the November 2, 2017 public hearing on PR 22-448, every witness echoed the same sentiment – DACA recipients should not be punished for the choices made by their parents and should not be deported from the United States. This sentiment falls in line with the vast majority of Americans. In an April 2017 poll done by Politico/Morning Consult, 73% of Americans supported Congress taking action to protect DACA recipients.⁵ Moreover, President Trump has indicated that he believes that Congress should pass legislation to protect DACA recipients.⁶

If Congress fails to act and the Trump Administration deports individuals who were previously covered under DACA, families will be ripped apart, and individuals who have only known the United States as their home will be forced to live in a country where they may know no one and have no support. Additionally, the families that they will leave behind will be devastated both emotionally and, potentially, economically. 97% of the DACA recipients either attend school or work. If they are deported, their families will have to close the financial gap that they will leave behind. Further, similar to the potential economic losses that would occur from the deportation of temporary protected status beneficiaries, deporting DACA recipients will cost the United States money, as well as lost gross domestic product and contribution to systems such as social security and Medicare.

¹<https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Deferred%20Action%20for%20Childhood%20Arrivals/DACA-toolkit.pdf>.

² Michelle Villegas

³https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca_population_data.pdf

⁴ See Consortium of Universities testimony, page 1.

⁵ <https://www.politico.com/story/2017/09/13/dreamers-daca-citizenship-poll-242630>. 54% of Americans believe that DACA should continue with a path for citizenship established, while 19% of Americans believed that Congress should legislate DACA but not provide a path to citizenship. *Id.*

⁶ <https://www.nytimes.com/2017/09/05/us/politics/trump-daca-dreamers-immigration.html>.

Since President Trump took office, his administration has made numerous attacks on the immigrant community in the United States. Ending DACA is one more attack. The District cannot stand by and be complicit as these attacks occur. Instead, the Council urges Congress to take action to protect and support our immigrant community, as the Council has done over the past several years. Thus, the Committee recommends the Council support this Sense of the Council.

II. LEGISLATIVE CHRONOLOGY

- September 19, 2017 PR 22-448, “Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017” is introduced by Chairman Mendelson and Councilmembers Cheh, Grosso, Allen, McDuffie, R. White, Silverman, Nadeau, Todd, Gray, Bonds, Evans, and T. White and is referred to the Committee of the Whole.
- September 29, 2017 Notice of Intent to Act on PR 22-448 is published in the *District of Columbia Register*.
- October 13, 2017 Notice of a Public Hearing on PR 22-448 is published in the *District of Columbia Register*.
- November 2, 2017 The Committee of the Whole holds a public hearing on PR 22-448.
- November 21, 2017 The Committee of the Whole marks-up PR 22-448.

III. POSITION OF THE EXECUTIVE

The Committee received no comments from the Executive.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on PR 22-448 on Thursday, November 2, 2017. The testimony summarized below is from that hearing. Copies of written testimony are attached to this report.

Abel Nunez, Executive Director, Central American Resource Center, testified in support of PR 22-448.

Jessica Wertheim, Member, Power People DC, testified in support of PR 22-448.

Dr. John Cavanaugh, President & CEO, Consortium of Universities, testified in support of PR 22-448.

Xiomara Flores, Field Representative, SEIU 32BJ, testified in support of PR 22-448.

Susannah Volpe, Associate Director, DC Immigration, Ayuda, testified in support of PR 22-448.

Alicia Wilson, Executive Director, La Clinica del Pueblo, testified in support of PR 22-448.

Lori Kaplan, President & CEO, Latin American Youth Center, testified in support of PR 22-448.

Allison Kokkoros, CEO, Carlos, testified in support of PR 22-448.

Rev. Sharon Stanley-Rea, Director, Disciples of Christ, Refugee & Immigration Ministries, and Downtown DC Congregations Cluster Leader for the Sanctuary DMV Congregations Network, testified in support of PR 22-448.

Blanca Hernandez, Immigration legal Services Paralegal, Catholic Charities Archdiocese of DC, testified in support of PR 22-448.

Estefania Chavez Higgins, Staff Attorney, Catholic Charities Archdiocese of DC, testified in support of PR 22-448.

Gonzalo Nunez, Student, Georgetown University, testified in support of PR 22-448.

Denise Woods, Member of Expanded Sanctuary Leadership, All Souls Unitarian Church, discussed her recent trip to the United States/Mexico border in order to better understand immigration issues.

Victoria Latus, Student Attorney, Immigration Justice Clinic at American University Washington College of Law, testified in support of PR 22-448.

Noel Karl Lebondzo Gandou, Commissioner, Mayor's Office on African Affairs, testified in support of PR 22-448.

Evelyn Haro, Student Attorney, Immigration Justice Clinic at American University Washington College of Law, testified in support of PR 22-448.

Michelle Villegas, Student Attorney, Immigration Justice Clinic at American University Washington College of Law, testified in support of PR 22-448.

Marybeth Onyeukwu, Black Immigration Network DC, testified in support of PR 22-448.

Kreszentia Duer, People Power, DC, testified in support of PR 22-448.

The Committee also received written statements from *Gabriela Mossi, Executive Director, Washington English Center; Vicki Gass, Senior Policy Advisor, Central America, Oxfam America; Brandon White, Chief Program Officer, Capital Partners for Education; and Kids in Need of Defense* in support of PR 22-448. These statements are attached to this report.

VI. IMPACT ON EXISTING LAW

PR 22-448 has no impact on existing law. It is a statement of the Council urging the United States Congress to pass legislation to protect DACA recipients.

VII. FISCAL IMPACT

According to District of Columbia Official Code § 1-301.47a, fiscal impact statements are not needed for emergency declaration, ceremonial, or sense of the Council resolutions.

VIII. SECTION-BY-SECTION ANALYSIS

- | | |
|------------------|---|
| <u>Section 1</u> | Short title. |
| <u>Section 2</u> | Sets forth findings of the Council regarding the need for the United States Congress to pass legislation to protect DACA recipients. |
| <u>Section 3</u> | Declares the sense of the Council to urge the United States Congress to pass legislation immediately to protect DACA recipients, also known as Dreamers. |
| <u>Section 4</u> | Requires that a copy of the resolution, upon adoption, be transmitted to the Office of the President of the United States, the Leaders of both the Democratic and Republican party of the United States House of Representatives and of the United States Senate, the Attorney General of the United States, and the Mayor. |
| <u>Section 5</u> | States that PR 22-448 shall take effect immediately. |

IX. COMMITTEE ACTION

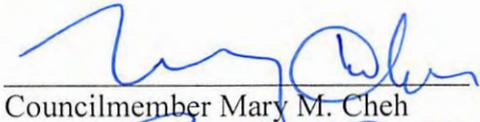
On November 21, 2017 the Committee met to consider PR 22-448, the “Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017.” The meeting was called to order at . . .

X. ATTACHMENTS

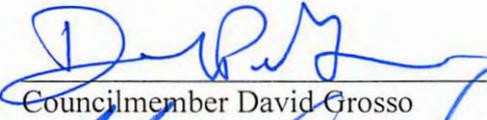
1. PR 22-448 as introduced.
2. Written Testimony.
3. Legal Sufficiency Determination for PR 22-448
4. Committee Print for PR 22-448.

1 

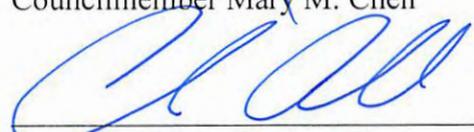
2 Chairman Phil Mendelson



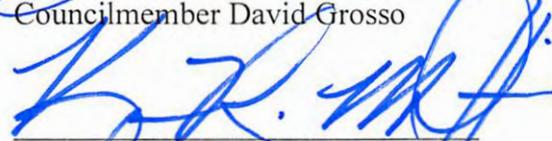
Councilmember Mary M. Cheh

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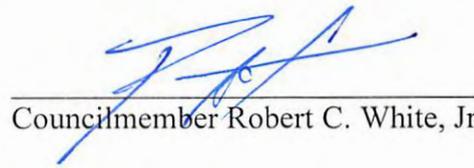
5 Councilmember David Grosso



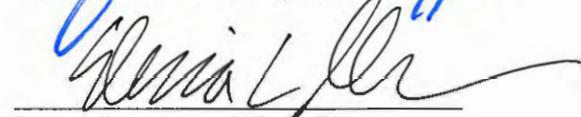
Councilmember Charles Allen

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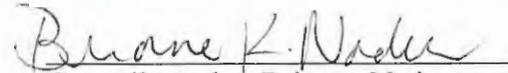
8 Councilmember Kenyan R. McDuffie



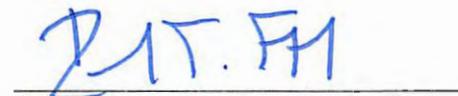
Councilmember Robert C. White, Jr.

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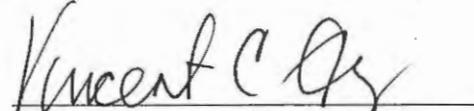
11 Councilmember Elissa Silverman



Councilmember Brianne Nadeau

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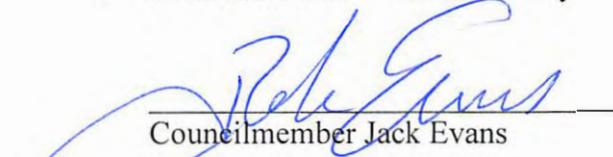
14 Councilmember Brandon T. Todd



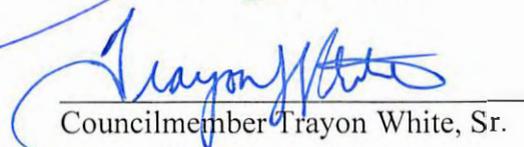
Councilmember Vincent C. Gray

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16 

17 Councilmember Anita Bonds



Councilmember Jack Evans



Councilmember Trayon White, Sr.

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30 A PROPOSED RESOLUTION

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32 _____
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34 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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36 _____
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38

39 To declare the sense of the Council that the United States Office of the Executive and the
40 United States Congress should act immediately to protect Deferred Action for
41 Childhood Arrival (DACA) recipients, also known as Dreamers.

42
43 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That
44 this resolution may be cited as the "Sense of the Council in Support of Legislative Action
45 to Protect Dreamers Resolution of 2017".
46

1 Sec. 2. The Council finds that:

2 (1) On September 5, 2017, Attorney General Jeff Sessions formally
3 announced that the Trump Administration would end the DACA program established
4 under former President Obama. This program established a renewable two-year period of
5 reprieve from deportation, as well as permission to study, work, and obtain a driver's
6 license for young people who were brought into the United States illegally by their
7 parents.

8 (2) The nearly 800,000 Dreamers in the United States protected under
9 DACA have proven themselves to be taxpaying, law-abiding, productive citizens.

10 (3) Nearly 800 Dreamers call the District of Columbia home, and continue
11 to contribute to our schools, our workforce, and our community.

12 (4) At least 97 percent of Dreamers are either in school or in the
13 workforce. They are our children's classmates, our coworkers, our neighbors, and our
14 friends.

15 (5) The nearly 800,000 Dreamers protected under DACA were brought to
16 the United States as young children, and for many it is the only country they have ever
17 known.

18 (6) Those enrolled in DACA or immediately eligible to enroll in DACA
19 contribute an estimated \$2 billion a year in state and local taxes.

20 (7) According to a Morning Consult and Politico poll in April 2017, 78%
21 of American voters support providing Dreamers the chance to live permanently in the
22 United States.

23 (8) Ending the DACA program will leave nearly 800,000 young people
24 vulnerable to deportation, possibly leaving them alone without friends or family in
25 countries that they do not know.

26
27 Sec. 3. It is the sense of the Council that the United States Congress should act
28 immediately in order to pass legislation that protects Deferred Action for Childhood
29 Arrival (DACA) recipients, also known as Dreamers.

30
31 Sec. 4. The Secretary to the Council of the District of Columbia shall transmit
32 copies of this resolution upon its adoption to the Office of the President of the United
33 States, both Leaders in the United States House of Representatives, both Leaders in the
34 United States Senate, the Attorney General of the United States, and the Office of the
35 Mayor of the District of Columbia.

36
37 Sec. 5. This resolution shall take effect immediately.

Council of the District of Columbia

Committee of The Whole

PR 22-448, Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017
PR 22-525, Sense of the Council in Support of Legislative Action to Protect Temporary Protected Status
Resolution of 2017
November 2, 2017

My name is Abel Nunez and I am the Executive Director at the Central American Resource Center, also known as CARECEN. Our mission is to foster the comprehensive development of the Latino community in the Washington metropolitan region. We provide direct services, promote grassroots empowerment, civic engagement and human rights advocacy.

I would like to thank all of the DC Council Members for co-introducing resolutions PR22-448 and PR22-525 that support both Dreamers and Temporary Protection Status (TPS) beneficiaries. These resolutions send a strong message to the Trump administration on the need to continue the humanitarian programs that protect immigrants that have made the District their home. The fiery rhetoric stemming from this administration has fueled fears and uncertainties among immigrants, especially when engaging with law enforcement. When immigrants are too afraid to call police to report a crime or serve as a witness it creates a public safety issue for all of us. Although the authority of allowing Dreamers and TPS beneficiaries lies with the federal government, the local government plays the most important role in their daily lives.

There is strong bipartisan consensus that DACA and TPS-holders should not be deported. Many Congressional Representatives and Senators have written letters of support to the Department of Homeland Security demanding that TPS be continued. Currently, multiple bills have been introduced in Congress to legalize their status. There is also support from other sectors. Letters and statements have been made by the U.S. Chamber of Commerce, Essential Immigrant Workers Coalition. Local communities such as Mt. Rainer, Hyattsville and Maryland Municipal League, have approved resolutions supporting Dreamers and TPS beneficiaries.

Reports from the Center for Migration Studies, Immigrant Legal Resource Center, among others demonstrate that TPS beneficiaries and Dreamers embody the entrepreneurial spirit, making societal and financial contributions to our nation and our city. Ending DACA and TPS would shatter the lives and dreams of more than 800,000 immigrant youth and more than 300,000 TPS holders. The District will be disproportionately impacted if TPS is ended. The Washington Area is the seventh largest metropolitan region where immigrants call home. According to the American Immigration Council, 1 in 7 Washingtonians are immigrants or foreign-born. The DC area is also home to the second largest Salvadoran population in the US and it is the largest Latino and Immigrant community in DC that has an estimated 8,000 TPS beneficiaries. The economic impact will be felt primarily in the construction and hospitality industry since Salvadorans make up a large percentage of that workforce. For example, the construction companies have made estimates that they will lose 20% of their skilled workforce.

There is enough scientific evidence that finds that these immigrant groups merit a permanent solution, but it is unlikely that Congress will be able to come together, so the temporary solution is to extend both programs. But Donald Trump's lack of commitment to protect these communities is further confirmation that he is on the side of the white supremacists, xenophobes and against the moral and economic interests of our country.

Beyond the numbers and the rhetoric there are lives at stake. People like Karla, who at 9 years old came to the United States with her younger brother from El Salvador in 1998, and settled with her mom and aunt in Philadelphia. Karla's mother had come to the United States a few months before to give her children a better life and soon realized that they were living in El Salvador with very limited essentials, such as running water, electricity and basic needs to survive. She decided her children needed to be in the United States with her. Karla remembers her journey with her 4-year-old brother and aunt, traveling through the desert, counting on a smuggler to get them where they needed to go and how it was a difficult time but knew things would be better. In 2001, she applied for TPS and pursued her dream of attending nursing school. Nursing was her passion, caring for the sick, especially children, is an ambition that requires strength and character. Today, as the Lead Nurse of one of the largest home care facilities in Philadelphia, Karla wants to be a role model and inspiration to Latina girls and show them that anything you put your mind to you can accomplish with hard work and dedication. Karla knows that if TPS were to be cancelled, many of the opportunities she has had till now, will be taken away from her. She will be separated from her family and loved ones, her future and dreams will slowly but surely dwindle away.

The resolutions that we are discussing today send a strong message that DC is a welcoming city for all. Our Mayor has proclaimed that the District is a sanctuary city, but more must be done. As a sanctuary city, we have a responsibility to protect our vulnerable communities by adopting policies that protect them. I am urging the city council to approve currently legislation that safeguards the dignity and legal rights of immigrants. An example is *The Access to Justice for Immigrants Amendment Act* would ensure that those least protected among us have access to legal service providers. The advancement of this bill would create a long-term funding solution and demonstrate a DC leadership that is committed to all its residents. It is imperative that municipal governments step in to ensure that we live up to our American values. Washington D.C. can continue to set an example and join other states that have already implemented such a successful program.

Once again, on behalf of CARECEN, other advocates and the community we serve, I would like to thank you for your commitments to improve and safeguard the immigrant community. We will continue working with councilmembers and other organizations to ensure the protections of immigrants. Thank you.

Abel Nunez
Executive director
Abel.Nunez@carecencdc.org

TESTIMONY IN SUPPORT OF PR22-448 and PR22-525

**Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017 and
Sense of the Council in Support of Legislative Action to Protect Temporary Protected Status Resolution
of 2017**

To: Chairman Phil Mendelson and the Committee of the Whole

From: Jessica Wertheim LGSW, Member of People Power DC

Date: 11/2/2017

First, I want to thank all Councilmembers for co-introducing these important resolutions in support of our immigrant communities and allowing me the opportunity to testify today. My name is Jessica Wertheim and I am a People Power DC activist, although I am here today as a community member and representing myself. People Power is the ACLU's grassroots movement that grew as a direct response to President Trump's mass deportation agenda.

With the rescission of DACA and the continued existence of TPS at risk, it is critical that policymakers understand the serious consequences at hand. The lives of 800,000 immigrant youth who once received protection under DACA are now at risk. In just a few months, individuals who were once able to work, attend school, and raise families, will begin losing their protection. DREAMers were raised in the U.S., this is the only home they know, and they are contributing to our communities in countless ways, truly living the American Dream.

The majority of the TPS population has also lived in the U.S. for a long time. TPS recipients have lived in the country for an average of twenty years and most have at least one U.S.-born child.¹ Forcing these individuals to uproot their lives and return to countries that are unsafe and unable to absorb the numbers of people is wrong on an economic, social, and moral level.

Logistically, deporting all Salvadoran, Honduran, and Haitian TPS holders would cost taxpayers \$3.1 billion dollars.²

TPS holders have a higher rate of workforce participation than any other group: 93.9% of men with TPS and 82.1% of women with TPS are currently working.³ TPS holders from El Salvador, Honduras, and Haiti contribute a combined \$4.5 billion in pre-tax wages or salary income annually to our nation's GDP.⁴ Ending TPS for these three countries would result in a \$45.2 billion reduction in GDP over a decade and cause a \$6.9 billion reduction in Social Security and Medicare contributions over a decade.⁵

¹ http://ipsr.ku.edu/migration/pdf/TPS_Report.pdf

² https://www.ilrc.org/sites/default/files/resources/2017-04-18_economic_contributions_by_salvadoran_honduran_and_haitian_tps_holders.pdf

³ http://ipsr.ku.edu/migration/pdf/TPS_Report.pdf

⁴ http://ipsr.ku.edu/migration/pdf/TPS_Report.pdf

⁵ https://www.ilrc.org/sites/default/files/resources/2017-04-18_economic_contributions_by_salvadoran_honduran_and_haitian_tps_holders.pdf

Metropolitan areas that have the largest TPS populations are expected to feel the greatest impact of the GDP loss. Given that the majority of TPS holders from El Salvador (32,359) live in the District, this region is particularly vulnerable without a TPS extension.⁶

As a licensed graduate social worker in the District of Columbia, it is important I raise the mental health aspect. The stress of the uncertainty can have damaging effects on the children of TPS holders and DACA recipients. Watching the news and reading stories of families being ripped apart is heart breaking and from a clinical perspective, can have serious downstream effects. It can impair school performance and cause health issues such as substance abuse, obesity, or cardiovascular diseases.⁷ It's important we consider the cost for individuals, as well as society at large.

As the false narrative around immigration continues, the myths about immigrants spread, and the detaining and imprisonment of innocent undocumented immigrants grows, it is more important than ever that we make an effort to preserve the rights of our vulnerable community members. DC calls itself a Sanctuary City, but that's not enough. Now it is time to do the work, we need to show up for our immigrant communities and push for legislative solutions for these individuals who are vital to our communities.

Sincerely,

Jessica Wertheim

⁶ https://www.ilrc.org/sites/default/files/resources/2017-04-18_economic_contributions_by_salvadoran_honduran_and_haitian_tps_holders.pdf

⁷ <https://www.reuters.com/article/us-health-immigrants-daca/daca-tied-to-better-mental-health-for-children-of-immigrants-idUSKCN1BJ2M2>



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**TESTIMONY BEFORE THE COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE**

Public Hearing on

**Resolution 22-448, Sense of the Council in Support of Legislative Action to Protect
Dreamers Resolution of 2017**

Thursday, November 2, 2017

Presented by Dr. John Cavanaugh, President and CEO

Consortium of Universities of the Washington Metropolitan Area

Chairman Mendelson, Members of the Committee, and staff, thank you for this opportunity to testify on a resolution aimed at supporting the District's "Dreamers." It is my privilege to be here today to testify in favor of PR22-448 in order to urge necessary government action to support these young people who are either already contributing to our community or seeking to educate themselves in order to better contribute to our society.

As you know, Chairman Mendelson and Committee members, Deferred Action for Childhood Arrivals (DACA) was initiated in June 2012 to address the uncertain status of thousands of young people brought to this country as infants or children by granting eligible recipients temporary permission to stay in the United States and obtain work permits. To qualify for DACA, applicants must pass a multi-faceted and rigorous test, including that they have arrived in the U.S. before reaching age 16, resided here continuously since 2007, be enrolled in or completed high school, not been convicted of a crime, and not present a threat to national security or public safety. Of the 800,000 young people of DACA status, 350,000 of them are enrolled in college, hundreds in the District of Columbia.

The Consortium of Universities has been an active partner in the Protect Dreamers Higher Education Coalition (www/acenet.edu/dreamers). Partnering with

numerous other higher education institutions and organizations, the Consortium has signed letters and participated in numerous events, most recently one held at Georgetown University, that have one message—to urge the Congress to pass bipartisan legislation as soon as possible to include all the protections currently provided under DACA and allow “Dreamers” to continue contributing to our society and economy by working, serving in the military or attending college.

We have been actively working on this issue for many years. Our efforts since September 5, 2017, when President Donald Trump announced that his administration would terminate the DACA program as of March 5, 2018 unless Congress took action, continue our work in support of the DREAM Act, the BRIDGE Act and related bills.

As noted in an October 19th letter sent by the Coalition to Speaker of the House Paul Ryan, House Minority Leader Nancy Pelosi, Senate Majority Leader Mitch McConnell and Senate Minority Leader Charles Schumer:

“There is widespread support among your constituents and across the country on the need to protect these individuals. . . Colleges and universities have seen these remarkable people up close, in our classrooms and as our colleagues and friends. Despite the challenges they face, they have made incredible contributions to our country and its economy and security. **They should continue to be able to do so.**” (Emphasis added.)

We believe this sentiment is admirably reflected in PR22-448 which calls on the United States Congress to “act immediately in order to pass legislation that protects Deferred Action for Childhood Arrival (DACA) recipients, also known as Dreamers.” (See Sec. 3 of the resolution).

As a result, we wholeheartedly endorse this resolution and stand ready to assist in its passage.

Thank you for your attention to this testimony. I am happy to answer any questions you may have about it.



**Testimony of Xiomara Flores, Field Representative 32BJ SEIU
PR 22-448 & PR 22-525
November 2, 2017**

SERVICE EMPLOYEES
INTERNATIONAL UNION
CTW, CLC

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KYLE BRAGG
Secretary Treasurer

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JOHN SANTOS
JOHN THACKER

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Connecticut District
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Stamford 203.602.6615

District 1201
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Florida District
305.672.7071

Hudson Valley District
914.328.3492

Mid-Atlantic District
215.226.3600

**National Conference of
Firemen and Oilers**
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New England District 615
617.523.6150

New Jersey District
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Western Pennsylvania District
412.471.0690

My name is Xiomara Flores and I am a Field Representative at 32BJ SEIU and the Director of the Capital Area District. Thank you for the opportunity to testify in support of PR 22-448, Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution 2017 and PR 22-525, Sense of the Council in Support of Legislative Action to Protect Temporary Protected Status Resolution 2017.

32BJ represents over 163,000 men and women in 11 East Coast states, as well as here Washington, D.C.. We have over 18,000 members in the Capital Area District. Our members support their families in jobs that form the backbone of our communities as cleaners, janitors, and security officers. We hail from 64 different countries and speak 28 different languages. We represent a microcosm of immigrants as well as families with long histories in the U.S. and we all share the American Dream--a commitment to making life better for working families and a fundamental respect for the dignity of all people.

On September 5th, the Trump Administration announced the end of the Deferred Action for Childhood Arrivals (DACA) program. DACA, which was created by executive order under President Obama, is a program that grants young people, brought to this country by their parents, the ability live and work legally, without the threat of deportation. All in all, 800,000 young people have benefited from DACA, which has allowed them earn educations and become gainfully employed. These DACA recipients, some who identify as Dreamers, have worked hard, paid taxes, and have been contributing members of our communities. The Administration has cruelly ended this program, leaving it to Congress to pass legislation to protect 800,000 hard-working young people and we must do everything in our power to encourage them to do so. That is why we support PR 22-448. Taking away the status to live and work outside the shadows for nearly a million people will create unprecedented chaos, not only for those who have DACA but for our communities at large.

We also stand strongly in support of a PR 22-525 which urges the President and Congress to act immediately to protect Temporary Protected Status (TPS). TPS was created to protect foreign nationals from countries experiencing armed conflict or natural disaster and allows recipients to live and work legally here in the US. TPS can be granted for up to 18 months, and in order to remain eligible for TPS, recipients must renew their status and undergo an accompanying criminal background check. There are about 320,000 TPS recipients living in the US and

they are stable and deeply rooted members of our communities. In fact, many TPS recipients have been here for over two decades. In the D.C. area there are about 40,000 TPS recipients from El Salvador and Honduras alone. TPS recipients have higher than average labor force participations rates, own homes and mortgages, and have US citizen children and spouses. On November 6th, the Department of Homeland Security (DHS) will issue a decision about the future of nearly 60,000 Hondurans and Nicaraguans. Shortly after, on November 23rd, DHS will issue an announcement on the future of 50,000 Haitians and on January 8th for nearly 200,000 Salvadorians. Signaling from the Administration has not been positive and communities are preparing for the worst. The loss of status and the ability to work for hundreds of thousands of stable members of our communities over the next 3 months will be cruel for these communities and devastating for us all. By failing to renew TPS we will be creating thousands of undocumented people in our communities overnight who will be vulnerable to exploitation and who could be pushed into underground economies. Our District must do everything in its power to ensure that TPS is extended for all who have it.

Immigrants are integral members of our community and are woven into the very fabric of who we are as a District. Whether TPS recipients or DACA recipients, they are our family members, friends, neighbors, and fellow parishioners—they work in every industry in the district and make enormous contributions to our economy and community. Please stand with me, our members, and TPS and DACA recipients throughout the District by voting in support PR 22-448 & PR 22-525. Thank you for your time.

Testimony before the DC City Council, Committee of the Whole, on PR 22-448, Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017 and PR 22-525, Sense of the Council in Support of Legislative Action to Protect Temporary Protected Status Resolution of 2017

Position: Support

Susannah Volpe
November 2, 2017

Good Morning, Chairman Mendelson and Committee Members. My name is Susannah Volpe. I am Associate Director of Ayuda's DC immigration program. Ayuda is a nonprofit organization that works with immigrants from across the world to overcome obstacles and to thrive in the United States. Our services include legal representation, case management, and language access. I testify today in support of resolutions PR 22-448, Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017 and PR 22-525, Sense of the Council in Support of Legislative Action to Protect Temporary Protected Status Resolution of 2017.

The DC metropolitan area is home to roughly 26,000 DACA recipients¹ and approximately 60,000 TPS recipients.² Ayuda has been providing legal services to TPS and DACA recipients since these programs began and we have helped DC residents renew their status during each subsequent renewal period. At Ayuda, we have screened and represented over 300 initial or renewal DACA applications, and more than 3,000 initial or renewal TPS applications for clients in the DC metropolitan area. In the last five years, Ayuda represented 289 clients in applying for or renewing their applications for Temporary Protected Status (TPS) for nationals from El Salvador, Honduras, Nicaragua, Liberia, Sierra Leone, and Somalia. Ayuda has represented 246 clients from over 20 countries in applying for initial or renewal DACA applications. In addition, we have pursued additional forms of immigration relief for those individuals who were eligible for another, more permanent form of immigration relief.

In the months ahead, President Trump will consider whether to renew Temporary Protected Status to benefit Haitian, Salvadoran, Honduran, and Nicaraguan nationals. We urge the administration to review both the origins of this relief and the effects of termination and renew TPS for nationals of these four countries.

Temporary Protected Status (TPS) for Haitians was prompted by a 7.0-magnitude earthquake on January 12, 2010, and was continued after Hurricane Matthew on October 4, 2016, and disastrous heavy rains in late April 2017. According to the International Red Cross, the 2010 earthquake affected upwards of three million people—one-third of Haiti's population, and destroyed most of

¹U.S. Citizenship & Immigration Services, Number of Form I-821D, Consideration of Deferred Action for Childhood Arrivals, by Fiscal Year, Quarter, Intake, Biometrics and Case Status Fiscal Year 2012-2017 (March 31, 2017), available at: https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca_performancedata_fy2017_qtr2.pdf.

² Robert Warren & Donald Kerwin, Center for Migration Studies, A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti, 5 J. on Migration and Human Sec. 577 (2017), available at: <http://cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti/>.

the nation's capital. The subsequent natural disasters exacerbated the destruction in Haiti and further slowed relief efforts.³

Much like in Haiti, two massive 7.7 and 6.6 magnitude earthquakes hit El Salvador respectively on January 13 and February 13 of the year 2001. In the first earthquake, nearly a thousand people were killed and over 100,000 homes destroyed. The following month, another earthquake caused over 300 deaths and another 60,000 homes were destroyed. In all, approximately 1.5 million people were affected by these earthquakes, in a country with a population of just under 6 million people at the time. The country suffered significant damage to infrastructure, and continues to this day to struggle to rebuild as its resources are drained in combatting organized crime and additional natural disasters.⁴

In October 1998, Hurricane Mitch made landfall in Honduras and Nicaragua, and displaced approximately 1.1 million Hondurans, and affected nearly 868,000 Nicaraguans. The storm destroyed approximately 70 percent of Honduran infrastructure, and caused extensive damage to housing, medical and educational facilities, transportation networks, water supply and sanitation facilities in Nicaragua as well. Again, Honduras and Nicaragua continue to struggle to rebuild infrastructure as the countries experience new damage from severe rains, earthquakes, landslides, flooding, and heavy winds.⁵

Haiti, El Salvador, Honduras, and Nicaragua continue to recover from these massive natural disasters and rely on remittances from family members living lawfully in the United States to help rebuild. Discontinuing TPS for these nations would mean that over 300,000 people would lose lawful status, rendering them ineligible to work lawfully in the United States. Conservative estimates hold that approximately 46,000 Haitian, 195,000 Salvadoran, 57,000 Honduran, and 2,550 Nicaraguan TPS beneficiaries live in the United States. Approximately 22% of Honduran, Salvadoran and Haitian TPS holders arrived in the US when they were under the age of 16.⁶ At least 30% of TPS holders from these same countries are homeowners, paying mortgages in the United States, and this does not include those who may live in homes that are fully paid for.⁷ There are more than 273,000 US citizen children whose parents are TPS holder from El Salvador, Haiti and Honduras.⁸

Lest we lose track of the people that these numbers represent, I want to tell the story of Edgar, a client that Ayuda represents, who is a DC resident and TPS recipient from El Salvador.⁹ Edgar has lived in the U.S. for seventeen years, having arrived in the US seeking a better life and unable to return due to the destruction that occurred in El Salvador while he was in the United States. Edgar made the decision to remain in the US and apply for TPS when the program first began in 2001. Edgar now works for a package delivery service and is paying for his home here in the District. He is married and the father of four daughters, one of whom is a DACA recipient. He credits TPS

3 See *gen.* 82 FR 23830, Haiti <https://www.federalregister.gov/documents/2017/05/24/2017-10749/extension-of-the-designation-of-haiti-for-temporary-protected-status>.

4 See *gen.* 81 FR 44645, El Salvador <https://www.gpo.gov/fdsys/pkg/FR-2016-07-08/html/2016-15802.htm>.

5 See *gen.* 81 FR 30331, Honduras <https://www.gpo.gov/fdsys/pkg/FR-2016-05-16/html/2016-11306.htm>; 81 FR 30325, Nicaragua <https://www.gpo.gov/fdsys/pkg/FR-2016-05-16/html/2016-11305.htm>.

6 Warren & Kerwin, A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti.

7 *Id.*

8 *Id.*

9 The client's name has been changed to protect privacy.

with allowing him to work and support his family. In preparation for our testimony today, he told us that “without TPS I would not have a job and without a job, I would be out on the streets.”

There is also another side to this story. Many holders of TPS or DACA continue to rely on fraudulent immigration providers, known as notarios, to assist them in their applications. Ayuda’s Project END (which stands for ‘Eradicating Notario Deceit’) is currently assisting two former DACA recipients Sonia and Pablo,¹⁰ who paid non-attorney notarios to file their renewal applications, but their applications were never properly filed. In Sonia’s case, the USCIS sent the non-attorney notario a request for more evidence that was ignored, prompting USCIS to deny her DACA application. Sonia was thus out of status on the date that President Trump effectively ended the DACA program and was not eligible to regain lawful DACA status to which she would have been entitled. Sonia was forced to decline the scholarship she had been awarded to attend college.

Pablo’s case is unfortunately similar, as he also went to a non-attorney notario and was assured his application would be properly filed. When several months later, he called USCIS to check the status of the application, he found that no application had ever been filed. He went to the notarios business place and found that the business had disappeared and his money and documents were gone. Pablo was deprived of the opportunity to apply for DACA and has no alternate path to legal status in the United States.

Ayuda is working to address both the immigration and civil remedies for these and other victims of immigration services fraud. We are keenly aware of the need for increased screenings and ongoing legal representation for TPS and DACA recipients by reputable attorneys and accredited representatives. To provide the legal representation this community needs, we urge the DC Council to pass and fully fund the Immigrant Justice Legal Services grant, Bill 22-0080 "Access to Justice for Immigrants Amendment Act of 2017"

Thank you to all Councilmembers for co-introducing these two important resolutions. Your commitment to passing these resolutions will set an important precedent for others to follow.

¹⁰ Names changed to protect client privacy.



LA CLÍNICA DEL PUEBLO

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Committee of The Whole

Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017,
PR 22-448

Sense of the Council in Support of Legislative Action to Protect Temporary Protected Status
Resolution of 2017, **PR 22-525**

November 2, 2017

Alicia Wilson
La Clínica del Pueblo

Good afternoon. My name is Alicia Wilson, and I am the Executive Director of La Clínica del Pueblo. La Clínica is a community based, federally qualified health center located in Columbia Heights. We serve primarily low-income, Latino immigrants, providing comprehensive health, mental health, and substance abuse services; community health promotion; medical interpretation, and the spectrum of HIV prevention and care. We have a strong focus on services for the Latino LGBTQ community, survivors of violence, and families separated by migration, among others. For our patients and clients, the experience of being an immigrant has a profound impact on their wellbeing, mental health, and health outcomes.

Thank you to all Councilmembers for co-introducing this important resolution. We are testifying in support of PR22-448 and PR22-525. These resolutions are another step in the city's efforts to ensure that it is a welcoming and diverse city, one that stands by all of its residents, in the face of extraordinary threats from anti-immigrant Federal policies.

While La Clínica does not collect immigration data from the people we serve, we are aware that our patients and clients, the majority of whom are immigrants from El Salvador, Honduras, and Guatemala, match many of the demographics of the city's Latino population. Many of our patients count on TPS status and DACA to enable them to work and engage with their communities with the stability that comes from having a social security number. In addition to economic benefits, this status provides significant health access benefits as well, as many employers now offer health insurance for their employees, and people with TPS can purchase insurance through the ACA health insurance exchange, DC HealthLink.

At La Clínica we believe health care is a human right and that all immigrants should be respected as productive human beings. We believe that illegalization and criminalization of immigrant community is detrimental to the health of the whole community.

Our work over the past 35 years has shown a direct link between immigration status and health. Most recently, in collaboration with several local academic researchers, we have been able to finally demonstrate how fear of deportation is linked to HIV risk behavior and staying with an

Our mission is to build a healthy Latino community through culturally appropriate health services, focusing on those most in need.

Nuestra misión es construir una comunidad Latina saludable por medio de servicios culturalmente apropiados, enfocándonos en los más necesitados.

abusive partner. And we are not the only voice affirming that health care should be a human right. Researchers from the Division of General Internal Medicine from Massachusetts General Hospital and Harvard Medical School have published a paper discussing the health consequences of DACA, and the findings show that “Economic opportunities and protection from deportation for undocumented immigrants, as offered by DACA, could confer large mental health benefits to such individuals. Health consequences should be considered by researchers and policy makers in evaluations of the broader welfare effects of immigration policy.” In our mental health services, we see daily how an adjustment of immigration status can significantly improve the stability of families and reduce anxiety and stress. For our patients, immigration is the primary social determinant of their health, impacting all aspects of their wellbeing.

In a 2016 briefing paper we co-authored with the Consumer Health Foundation, they explain:

“Studies consistently show that children of immigrant parents are more likely to lack health insurance than children with U.S.-born parents and are less likely to be taken to the doctor. Studies also show that a parent’s undocumented status is associated with lower levels of cognitive development and educational progress for the child. The most damaging effects seem to stem from parental detention or removal, which impacts the economic and psychological well-being of the child. The psychological distress experienced by parents who are undocumented is also associated with negative developmental effects for their children. Nearly 50 percent of parents who are undocumented reported that their child had been anxious, and almost 75 percent reported that a child had shown symptoms of post-traumatic stress disorder resulting from the threat of detention and deportation.”

In Washington, DC, some of the health impacts of being undocumented are mitigated by the DC Healthcare Alliance program, which serves as a model for the nation in building an inclusive healthcare system for the city. This program, however, is not a full insurance product and does not meet all of the healthcare needs, such as behavioral health care coverage.

As a sanctuary city, we have the responsibility to engage in permanent and meaningful mechanisms for safeguarding the rights of those most vulnerable in our communities. Beyond the declaration of sanctuary, the policies and practices of the city are what must truly distinguish Washington, DC as a place of full inclusion for the immigrant community. As I urge you to pass these two resolutions, I also urge you to pass additional pending legislation to show that the city’s actions back up its declarations:

- Pass bill 22-80, “Access to Justice for Immigrants.” There is a great and growing need for immigration legal services in the District because immigrants are being assaulted on a daily basis by reactionary and untested immigration policies.
- Pass bill 22-0075: “Language Access for Education Amendment Act of 2017,” giving the Office on Human Rights more enforcement tools.
- Pass bill 22-231: “DC Healthcare Alliance Re-Enrollment Reform Amendment of 2017,” which reduces the discriminatory barriers that Alliance enrollees face in maintaining their health coverage.

Finally, as an employer of over 115 talented, mission-driven staff, I must also say that our workforce is under threat by the possible repeal of TPS and the loss of DACA. Several of our highly-skilled, bilingual, committed employees would lose their employment status, and our ability to serve the community would suffer as a result. I appreciate the city council's attention to this critical issue and urge your continued awareness of grave local impact of national anti-immigrant policies. Your actions to support all residents of the city are essential at this time.

Testimony Presented to the **Committee of the Whole**

Chairman Phil Mendelson

On **PR 22-448**, Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017, and **PR 22-525**, of the Council in Support of Legislative Action to Protect Temporary Protected Status Resolution of 2017.

By Lori Kaplan, President and CEO, Latin American Youth Center

November 2, 2017

Good afternoon Chairman Mendelson, Council Members, members of your staff, and fellow community leaders. My name is Lori Kaplan and I am President and CEO of the Latin American Youth Center, known as LAYC. I have served in this role since 1987 and have worked at LAYC since 1979. LAYC supports the hopes and dreams of over 4000 Latino, African American, and multicultural youth annually in the District of Columbia (DC) and Maryland. Our rich history of service to the Latino and African American community, as well as the immigrant community, is tied directly to our support for the Council's resolutions in support of legislative action to protect Dreamers and Temporary Protected Status (TPS) holders.

We would like to thank the Chairman and all Councilmembers for co-introducing these critical resolutions calling on Congress to take legislative action to protect Deferred Action for Childhood Arrivals (DACA) recipients, and to extend and protect the Temporary Protected Status (TPS) program. These resolutions reaffirm DC's commitment as a Sanctuary city. They send a clear message to Congress that we demand they prioritize the protection some of the most vulnerable residents in our community through legislative action that is beyond Council's jurisdiction. However, these resolutions are only one of many steps Council must take towards seeking safety, justice, full-inclusion, and protection for DC's immigrant community, whether documented, undocumented, or temporarily protected.

Over the past 10 months, the racism and bigotry present in the current administration's policies and practices has left members our community living in constant fear for what will come next. The cancellation of the DACA program and the threat of cancelling the TPS program directly impacts the life and well-being of our youth, whether they or a family member is a direct beneficiary. DACA and TPS would shatter the lives and dreams of more than 800,000 immigrant youth across the U.S. and more than 300,000 TPS holders.

DACA-beneficiary dreamers and TPS holders are human beings, not bargaining chips, who deserve dignity and respect. They are our neighbors, our children's friends, our coworkers, employees, students, and local community leaders. There is strong bipartisan consensus that DACA and TPS-holders should not be deported. While Council has no power over federal

immigration law, as local government leaders you have the power to protect all District residents and remove legislative barriers that disproportionately impact our immigrant youth and their families.

Council must act now, without hesitation or further delay, to approve and fund pending District legislative proposals to protect all residents. Not only are immigrants, documented or not, targeted under the new administration's proposed policies, but so are their U.S. citizen and legal permanent resident (LPR) parents, children, siblings, and relatives.

We look to the Council for their full support and immediate action to fully fund the following "slate" of proposed policy changes impacting our immigrant communities:

- **Pass Bill 22-80, Access to Justice for Immigrants.** There is a tremendous and growing need for immigration legal services in the District. Given the real possibility that Temporary Protection Status (TPS) for Salvadorans, Hondurans, and Nicaraguans could end, this creates a massive and unprecedented need for immigration legal services, as it would affect over 35,000 current beneficiaries in the DMV. With the DACA program cancelled and uncertainly over the protections Congress will afford Dreamers, there are close to 1,000 youth people in DC that have applied for DACA and will need immediate immigration legal assistance, according the American Immigration Council.
- **Pass Bill 22-0075, 2015 Language Access for Education Amendment Act.** Council must pass this bill and ensure strong enforcement of the Act's provisions to provide Non-English Proficient, Limited English Proficient parents, students, and community members with critical resources. This bill has been delayed and postponed for over two years in the Council, and our students and their families deserve improved protections to language access at any and all government funded agencies, but in particular at our public schools. All DC's children, youth, and their parents and guardians, deserve to engage in quality educational opportunities in their language of preference.
- **Pass the One License for One DC Amendment Act of 2017.** DC cannot continue to support a provision that requiring all licenses and non-driver ID cards issued to undocumented immigrants to be marked differently than those issued to everyone else. This marker makes our undocumented neighbors easy targets for federal immigration and customs enforcement (ICE) officers known to be operating in the DMV. Undocumented immigrants with DC-issued IDs are more vulnerable and exposed the moment they step beyond the District's borders into Virginia or Maryland. Driving safely with a license or proper photo identification should come at the risk of immediate ICE detention for exposing one's immigration status.

- **Pass the Local Resident Voting Rights Amendment Act of 2017.** Council must ask to expand the right to vote to legal permanent residents in the District. Despite not yet being U.S. citizens, these residents are well on their path to citizenship. What better way to signal to the immigrant community that their civic engagement matters than to expand the right to vote in our local municipal elections. They too are impacted by legislative proposal in the District should have the opportunity to cast their vote in how Council and local government are held accountable. This bill will allow legal permanent residents to legally participate in our elections for the Mayor, Council, State Board of Education, ANC's and the Attorney General.

We can no longer wait for the right time to act on these measures. We ask our government leaders to stand boldly with LAYC's youth, our immigrant community and all other marginalized communities vulnerable to the administration's threats and actions.

Thank you for this opportunity to testify today.



*Fighting for equal justice for all immigrants
at risk of detention and deportation*

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Good morning Council Members,

My name is Kathy Doan and I am the Executive Director of the Capital Area Immigrants' Rights Coalition.

CAIR Coalition works to insure equal access to justice for men, women and children at risk of detention and deportation in DC, Maryland and Virginia. Our services include legal representation, educational outreach, impact and advocacy work, and the training of attorneys who defend immigrants in the immigration and criminal justice arenas.

We are the only legal service provider in the Washington metropolitan area with a legal service program dedicated specifically to assisting detained immigrant men, women and children in the Washington area. In the last year, we served over 4000 immigrants with service ranging from brief counsel and advice to full representation before the immigration court.

There are currently 11 detention facilities holding an average daily population of 1200 detained men, women and unaccompanied immigrant children in Virginia and Maryland. Any DC resident who is detained by ICE is generally held at a detention center in Farmville, VA, about 3.5 hours south of the City.

In the first nine months of the current administration, immigration detentions are up 40%. Individuals who would not have been a priority under the Obama administration are now being routinely detained and deported.

These include individuals who were given grants of deferred action, most often because they were primary care givers with either no criminal offenses or very low level convictions. Year after year they would dutifully report to their local ICE office to check in, and year after year they would be allowed to return home to their spouses and children. Not this year. This year, many of them were not allowed to go home. Instead, they were detained and deported, leaving devastated families and communities in their wake.

Like TPS and DACA recipients, immigrants with grants of deferred action were playing by the rules and ironically, tragically, it was their very willingness to play by the rules that ultimately led to their detention, and in many cases, deportation.

The government's decision to end DACA was cruel beyond measure. Not only is it a humanitarian disaster as young people who played by the rules now stand to lose everything they worked so hard to achieve, but the economic repercussions will reverberate throughout the DMV and beyond.

A 2017 survey, conducted by the Center for American Progress, the National Immigration Law Center, immigrant youth organization United We Dream, and the University of California, San Diego, finds that immigrant youth embody the entrepreneurial spirit, with DACA recipients “outpacing the general population in terms of business creation.” DACA recipients are deeply engrained in our nation, “buying cars, purchasing their first homes,” and boosting our economy by “creating new businesses.” The survey’s results also show that at least 72 percent of the top 25 Fortune 500 companies employ DACA recipients.”

Similarly, ending TPS status for those nationals that currently enjoy its protection would be both a humanitarian and an economic disaster, for individual immigrants, as well as the nation as a whole.

According to an Immigrant Legal Resource Center report, deporting all Salvadoran, Honduran, and Haitian TPS holders would cost taxpayers \$3.1 billion dollars. It would result in a \$6.9 billion reduction to Social Security and Medicare contributions over a decade. It would lead to a \$45.2 billion reduction in GDP over a decade. The wholesale lay-off of the entire employed TPS population from these three countries would result in \$967 million of turnover costs, e.g. costs employers incur when an employee leaves a position. The loss in GDP and turnover costs would be felt most acutely in the locations where Salvadorans, Hondurans, and Haitians are primarily located, including major metropolitan areas in Florida, New York, California, Texas, and the DMV.

Ending DACA and TPS will not only cause great emotional and economic harm to immigrants, their families and the wider communities of which they are an integral part, it will also put many more individuals at risk of detention and deportation. ICE will know exactly where TPS and DACA holders live and the events of recent months suggest that they will show no mercy in going after them once they have been stripped of their legal status.

Against this background of stepped up enforcement and reduced discretion, the “Sense of the Council” resolutions in support of Legislative Action to Protect Dreamers and TPS holders takes on added urgency.

I encourage the Council to expeditiously approve both these measures.

But I also ask that the Council not stop there. There is another piece of pending legislation that was the subject of hearings earlier this year, which also needs to be expeditiously approved and funded.

That is the Access to Justice for Immigrants Act of 2017.

As a Sanctuary City, we need to be doing everything we possibly can to safeguard our immigrant neighbors in today’s hostile and increasingly anti-immigrant climate.

Several weeks ago, ICE put the city on notice that it was being specifically targeted for its pro-immigrant stance and we can assume that the raid in September that resulted in the detention of nearly a dozen DC residents will not be the last such action against our immigrant neighbors.

Since the hearings on the Access to Justice for Immigrants Act were held, two other local jurisdictions –Prince George’s County and Baltimore City- have joined a nationwide collaborative of local jurisdictions called the “SAFE Cities Network. Each of the jurisdictions in the network has pledged at least \$100,000 for an immigrant defense fund that is then matched by private funders.

It’s a relatively modest sum, but it’s a start. And as important as the additional funding is, the message of solidarity that it sends to the immigrant communities in Baltimore and PG County is equally important.

I encourage the DC Council to send a similar message of solidarity and support to our immigrant community by approving and funding the Access to Justice for Immigrants Act as soon as possible.

Thank you,

Kathryn M. Doan, Esq.
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TESTIMONY OF ALLISON R. KOKKOROS, CEO,
CARLOS ROSARIO INTERNATIONAL PUBLIC CHARTER SCHOOL

SENSE OF THE COUNCIL IN SUPPORT OF LEGISLATIVE ACTION TO PROTECT DREAMERS
RESOLUTION OF 2017 (PR22-448) AND
SENSE OF THE COUNCIL IN SUPPORT OF LEGISLATIVE ACTION TO PROTECT TEMPORARY
PROTECTED STATUS RESOLUTION OF 2017 (PR22-525) AND

COMMITTEE OF THE WHOLE PUBLIC HEARING
CHAIRMAN PHIL MENDELSON
THURSDAY, NOVEMBER 2, 2017

Good Morning Chairman Mendelson and City Councilmembers,

My name is Allison Kokkoros and I am the CEO of the Carlos Rosario International Public Charter School. I am testifying today in strong support of the resolutions introduced to protect Temporary Protected Status individuals and Dreamers.

For generations, immigrants have come to the United States and to the District of Columbia in search of a better life. At the Carlos Rosario School, our founding mission is to provide this generation of immigrants with resources that help them make that dream a reality and in turn strengthen our city. Each year we serve over 2,500 immigrant adults from more than 85 countries around the world. Students in our programs have gained the English skills necessary to advocate for themselves and their children; obtained high school diplomas; become U.S. citizens; participated in the democratic process by voting; obtained college degrees and workforce certifications; entered into careers; climbed career ladders; opened businesses and paid millions of dollars in taxes. I am proud to share that our school has been recognized as a Tier 1 School since the inception of the tiering system.

And yet, it has been a uniquely difficult year for the immigrant community. At the national level, hateful rhetoric and cruel policies foster fear and anxiety, separate families, and trample dreams. Ending TPS and DACA is the epitome of such inhumane and unjust actions. And

while these policies are legislated at a national level, the damage is truly felt locally in our own communities. Our own neighbors will suffer and our local economies will be negatively impacted. Hundreds of Dreamers and TPS beneficiaries will endure the direct consequences, but all of us will be affected.

Ensuring the protection of immigrant communities from deportation is not only the right thing to do, it is also the smart thing to do. Successive waves of immigrants have built up our region and our country, making them demographically young, enriching our traditions and cultures, and contributing to our economy with innovative ideas and entrepreneurial spirit. According to Immigrant Legal Resource Center reports on the economic impact of ending TPS and DACA, deporting affected TPS holders and DACA recipients would cost taxpayers billions of dollars, and result in an estimated \$40 billion reduction to Social Security and Medicare contributions over a decade along with a \$470 billion reduction in GDP. The combined lay-offs of TPS holders and DACA holders would result in almost \$4 billion dollars in turnover costs. For the TPS portion, these losses would be felt most acutely in the locations where Salvadorans, Hondurans, and Haitians are primarily located, including our region.

So it is with conviction that I -- as a United States citizen, District resident and head of an educational institution that serves the immigrant community and the DC region-- assert that Congress must act to protect TPS and DACA holders from deportation. The resolutions proposed by the City Council urge congress to do so and, importantly, send a message of hope to the immigrant community in a time that is filled with fear and anxiety. It signals that at the local level, where sometimes it matters more, they have allies who are willing to fight to make this city a place where everyone can thrive.

I feel fortunate to call the District home, grateful that we are a Sanctuary city and honored to be among others testifying in favor of these resolutions and fighting for the basic

dignity and human rights of all people. We are far from achieving the dream of comprehensive immigration reform, but we must fight to keep whatever protections are currently in place for the immigrant community. I want to thank all council members for addressing this issue through these resolutions which will stand as a symbol of the values of the people of the District of Columbia, that we will not turn our backs on our immigrant neighbors. I both commend the city council for your support so far and urge you to continue to support the immigrant community in the battles to come, for the fight for dignity may be long and our values as a people are at stake.

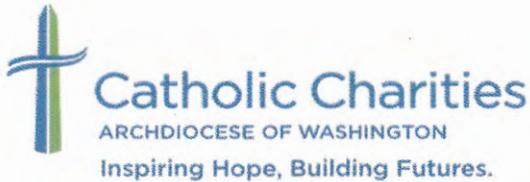
Rev. Sharon Stanley-Rea, 3040 Thayer Street NE, Washington, D.C.—In Support of PR22-525

I am Rev. Dr. Sharon Stanley-Rea, Christian Church (Disciples of Christ), Director of Refugee & Immigration Ministries, and a D.C. Resident. For me as a national pastor working with my denomination, lives of individuals and communities affected by threats to Temporary Protected Status come from all around the country. They include ones like **Violette's in NY**, on her church's worship team, working as a health care provider, who knows "these are not the right conditions for return to Haiti, and without us here working, families will have even more danger and insecurity." Those I meet include a **Liberian** who served as the competent church administrator at our congregation in Beltsville, Md.—who had to leave the church and area when TPS was ended for Liberians just months ago. She now lives in daily fear as she endeavors to continue to find a way to earn money for remittances. It includes a **Salvadoran in Hyattsville**—who, with her husband, has TPS, and whose dedication has led her to fast for days and walk over 100 miles in actions to show her support for fixing US immigration laws to stop criminalizing immigrants.

Already in Sept., over **700 faith leaders nationally have signed** a letter urging extension of TPS for all 10 remaining populations—from **El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, and Yemen**. Two weeks ago, our city here in **DC passed a resolution** in support of extension of status for TPS holders—recognizing we have the highest Central American populations of TPS holders in our region. Today, I present to you **nearly 200 signatures from the DC, Maryland, Northern VA. region** gathered through our area Sanctuary DMV Congregations Network of over 70 congregations in support of TPS for Haitians, Salvadorans, Hondurans, Nicaraguans, and all other populations—**because we believe** our faith that calls us to follow the prophet Isaiah's call to bring water to the thirsty" and Yahweh's call in Exodus to "not oppress a stranger" and Jesus' words that "I was a stranger and you welcomed me" —and so we should continue to do so.

We will not stop our faith commitment to Temporary Protected Status. We won't stop because **we are inspired by** affected communities. While few in our congregations may have known before that "TPS" meant Temporary Protected Status, **now they are learning, building strategies concerning, and YEARNING to protect this program of protection from extermination**—because we know that TPS UPHOLDS FAMILY STABILITY (as there are over 273,000 US born children of TPS recipient parents!). We know that TPS IS AN INVESTMENT IN HUMANITARIAN COMMUNITY BUILDING, it STRENGTHENS NATIONAL SECURITY, it SUPPORTS BOTH THE US AND HOME COUNTRIES ECONOMICALLY, and it SAVES LIVES BY NOT SENDING BACK INTO DANGEROUS CONDITIONS.

And so, as your DC residents in faith communities, we have been speaking in our pulpits, leading workshops, going on the radio, holding multiple Press Conferences, having conversations with neighbors, and this week meeting with DHS staffers to share the voices of the faithful in our city in support of TPS. Please join us by passing today's DC Resolution PR22-525 to renew and extend TPS to all populations. Without doing so, our city's economy, families, and very spirit will suffer as tens of thousands will no longer be able to support both THIS country, and their own homelands through remittances, as well.



My name is Blanca Hernandez. I am a Paralegal with the Immigration Legal Services Program of Catholic Charities of the Archdiocese of Washington.

Our program provides direct legal representation in immigration matters, refers individuals for pro bono representation, and we conduct community outreach and education. Since the inception of Deferred Action for Childhood Arrivals (DACA), we have helped many individuals apply for DACA relief, and to renew their status under DACA. Just in the last few months, we helped more than 50 individuals renew their DACA status before the recently imposed deadline.

Throughout the years I have volunteered or worked with organizations such as the Chicana/Latina Foundation, which provide leadership and financial support to young Latinas; The Greenlining Institute's (GLI) Academy Alumni Board, which provides support to GLI alumni who have advocated for equity for low income communities and communities of color; for Educators for Fair Consideration, which provides educational financial support, and legal assistance to young immigrant youth, and guidance to educators and families; and for Many Languages, One Voice, which provides support to workers and youth, as well as language-access advocacy for immigrant communities in DC. My point today, however, isn't to provide you an overview of my resume, rather, it is to tell you how I arrived at this point.

I emigrated from Mexico to the United States [with my family] on October 30, 1989. That is 28 years ago, as of 3 days ago. And contrary to popular belief, neither my family nor I, entered "illegally." We are visa overstays.

Upon arrival, my family settled in Richmond, CA, an inner-city in San Francisco's Bay Area. A city filled with history, at times violence, poverty, but also filled with great spirit, diversity, art, resilient people and lots of beauty. Richmond is known as the City of Pride and Purpose and I am PROUD to be a product of the city of Richmond. Richmond taught me to be resilient. That in the face of adversity, one does not give up, one pushes harder. Richmond taught me love for my community, wherever that may be. Currently, my community is here in the DMV.

As mentioned, Richmond is an inner-city filled with many issues and growing up there, those issues impact one's life. Sometimes positively,

sometimes negatively. I am not the “dreamer” you hear about who was in honor programs throughout her life. I struggled. I struggled with my grades throughout high school. I struggled with even wanting to be in school. I barely graduated. College is not a common topic discussed in our schools. If I had knowledge of college, it was thanks to a program I was involved in called METAS (goals). As high school graduation grew near, I was told that as an undocumented youth, I would not have access to a college education. Apparently, I lacked a magic 9-digit number. Reverse psychology, or however you want to view it, I made it a point to find a way to get into college. I did it. I had to begin from scratch. I had to study longer, I had to work, and I had many other responsibilities at home. It took me 7 yrs to finish a 4-year degree. I dropped out once, but returned stronger. Along with several, now life-long friends, I co-founded an on-campus support group for undocumented students. Together, we advocated locally, statewide, and nationally, for access to education and citizenship for undocumented youth. Today, several states around the nation offer in-state tuition and/or in-state financial assistance for eligible youth, including CA. As a side note, I know that there’s a discrepancy on the subject of in-state tuition here in the city. I won’t go into the subject here, but do wish to bring it to your radar for future discussion. (Please point me toward the person I should follow up with.)

Today, I have a B.A. in Chicana/o Studies from the University of California, Davis. I was the 1st, and to date, the only college graduate in my immediate family. I have around 10 years of experience and training in immigration law, I know and understand how state and federal legislatures work – not something that can be said about many US-born young people. I learned this for my safety and the safety of my community.

However, upon graduation, I found another roadblock. Work. How was I going to exercise my degree, in which I literally invested blood, sweat, and tears? In 2008, nothing existed, therefore, many of us had to get creative. It was difficult and work was not always available. Many of us were forced to live in a perpetual state of adolescence in our mid-20s. In 2010, many young people like myself believed that something would finally change for us. After years of advocacy, the federal legislation known as the DREAM Act finally passed the House and made it to the Senate. Our victory was short lived. Many of us who had traveled here to DC for that last push, returned home empty-handed, some even with a sense of defeat.

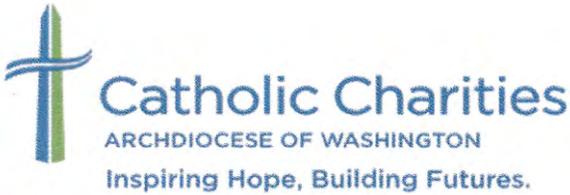
In 2012, the Deferred Action for Childhood Arrivals, otherwise known as DACA, was announced. I have to be honest and say that many of us were

skeptical of how this could turn out. Non-profits, attorneys, and legislators, told us that we had nothing to worry about because this was only the first step. Around 800,000 of us applied for the program. During these last 5 yrs, we were able to leave the perpetual state of adolescence we were forced to live in. We obtained jobs, licenses or IDs with ugly DMV pictures (we joined the ranks of those people annoyed with the long DMV waits), we no longer had to carry our passports to the local bar, many learned to drive, several entered graduate schools in various fields including research, law, medicine, social work, education, you name it! Others were finally able to contribute to their families, or begin families of their own without fear of being torn away from them.

This was also short lived. On September 5th of this year, the Federal Government delivered a gut-wrenching announcement filled with non-factual information. DACA recipients were accused of abusing the welfare system, to which we don't have access, social security, to which we have many years left before we even have access to it, and of being criminals, of which ZERO percent of us are guilty. As I drove toward the White House that day, and listened to the announcement that would once again place people like me in a state of limbo, years of hard work, many colleagues, and younger DACA generations who have never known life without DACA, flashed in my mind. I was angry. I was angry because I couldn't believe that in 5 years since the announcement of DACA, many who convinced us that all would be ok, even ourselves, became complacent. No one pushed for actual legislation that would provide us a path toward citizenship. It became even more clear that DACA had been a temporary fix to keep us in a state of complacency. Once again, we are fighting against the clock. Once again thousands of young people like myself have no idea what the next year, or even the next few months will bring.

As I mentioned earlier, I am not the model "dreamer" you hear about. I am the day-to-day American who fights for what I believe in and for what I believe is just. I am the product of a society that believes that hard work pays off. I am the product of resilience. I am the product of Richmond, CA neighborhoods and a contributing worker of the city of DC. This country is my home. I don't believe in the idea that being superhuman is the only time someone's humanity should be considered.

For this reason, I express the urgency and importance of resolutions such as "Sense of Council to Support Legislative Action to Protect Dreamers of 2017" to be approved. The federal government must understand that we are not exchange coins and that withdrawing protections such as DACA and TPS will cause a humanitarian crisis.



Good morning. Thank you Council Chairman Phil Mendelson and all councilmembers for co-introducing these important resolutions: Proposed resolution 22-448 “Sense of the Council in Support of Legislative Action to Protect Dreamers Resolution of 2017” and proposed resolution 22-525 “Sense of the Council in Support of Legislative Action to Protect Temporary Protected Status Resolution of 2017.”

My name is Estefania Chavez Higgins and I am a staff attorney with Catholic Charities Immigration Legal Services.

Catholic Charities Immigration Legal Services has been serving the DC metro area for over 30 years. We provide direct immigration legal representation and offer referrals for pro bono legal representation. Our services are open to all of those in need, regardless of age, race, nationality, sex, sexual orientation, background, belief, or circumstance. Immigration Legal Services advances Catholic Charities’ mission by addressing the region’s evolving legal needs through high quality, reduced-cost and pro bono legal assistance and education. At our five office locations, foreign-born individuals and their families receive direct legal advice and representation in a wide range of immigration legal services including: naturalization and citizenship, asylum, family based immigrant petitions, relief from removal in Immigration Court, VAWA self-petitions for survivors of domestic violence, U and T visas for victims of crime and trafficking, Special Immigrant Juvenile Status (SIJS) for unaccompanied minors, DACA, Temporary Protected Status, and consular processing. At Catholic Charities, we have 14 immigration attorneys and Board of Immigration Appeals Accredited Legal Representatives, all of whom serve DC residents, and 6 of whom work in our 2 Washington DC offices.

We are testifying in support of PR22-448 and PR22-525 because ending DACA and TPS would shatter the lives and dreams of more than 800,000 immigrant youth and more than 300,000 TPS holders.

At Catholic Charities, we serve a great number of the TPS-holders in the DMV area. Many of our TPS clients have been in the United States for at least the past 20 years or more. The United States is the country they call home. Many came to the United States at a young age and have spent a significant portion of their life

here. Salvadoran and Honduran TPS holders have, on average, spent at least a third of their lives on TPS. As a result of this long-term status they have become active and contributing members of their communities and the nation as a whole. Many TPS beneficiaries have families in the United States. These families include approximately 273,000 native-born U.S.-citizen children.

One TPS holder we have assisted is Eduardo from Central America. He is a DC resident. Our program assisted him in filing for TPS, and this benefit allows him to work legally in the U.S. and support his family. Eduardo is employed, and supports a family, which includes 6 U.S. Citizen children. If TPS ends, he will be subject to removal from the United States, and will be separated from his family.

Another TPS holder is Andre, a Haitian Professional who arrived in the U.S. just after the earthquake with his U.S. citizen daughter. While his daughter had status in the U.S., Andre was only granted entry for a temporary period of time. He was not initially eligible for TPS because he came after the cutoff date. But, later, given the devastation in Haiti, and ongoing instability in the country, the U.S. government re-designated Haiti and extended the cutoff date by which a person could enter the U.S. At that point, Andre applied for, and was granted TPS. He was able to get a work permit which enabled him to work and support his child while his country continued to recover from the effects of the earthquake.

TPS-holders make important contributions to the economy as a whole given they are active members of the labor force. According to the report titled "Economic Contributions by Salvadorians, Hondurans and Haitian TPS Holders" published in April 2017 by the Immigrant Legal Resource Center ("ILRC") deporting all Salvadoran, Honduran, and Haitian TPS holders would cost taxpayers \$3.1 billion dollars. It would result in a \$6.9 billion reduction to Social Security and Medicare contributions over a decade. It would lead to a \$45.2 billion reduction in GDP over a decade. The wholesale lay-off of the entire employed TPS population from these three countries would result in \$967 million of turnover costs. The loss in GDP and turnover costs would be felt most acutely in the locations where Salvadorans, Hondurans, and Haitians are primarily located, including major metropolitan areas such as Florida, New York, California, Texas, Maryland, and Virginia. Construction Companies in the DMV area have estimated that they would lose approximately 20% of their skilled workforce if TPS ends.

There is strong bipartisan consensus that DACA and TPS-holders should not be deported. Many Congressional Representatives and Senators have written letters of support to the Department of Homeland Security (DHS) demanding that TPS be

Thank you, Chairman Phil Mendelson and the honorary Council, for holding this hearing.

My name is Gonzalo Nunez and I am here to express my support for PR22-448 and present my testimonial on being a DACA student in the United States. I was born in the capital of Peru where I lived until I was 6 years old. Prior to me entering grade school my father was offered a job by a company in Fresno, California which offered to sponsor him for a green card. Because of the high unemployment and low job opportunities in Peru, my father took up the offer and we quickly moved to the United States. However, since petitioning for a work visa is extremely difficult and can take years to achieve, we had no choice but to enter through a travel visa, which gave us a window of 3 months to legally stay within the United States. Shortly after we settled into our home in Fresno, the company my father worked for declared bankruptcy, leaving him without a job and my family with no means of being naturalized. At this point, my parents had no job opportunities in Peru and no money afford a good education for me. So, they chose to stay in the U.S so that I may continue my studies and grow up in a country where they knew I could have a better future.

At the age of 8 I moved to Miami, Florida where I have lived ever since. From 2015 to 2017 I studied at the Miami Dade Honor's College where I dedicated my time to public service and civic engagement within my community. After completing over 200 hours of community service, and receiving recognition for my work from the White House, I paved my way to Georgetown University's School of Foreign Service where I am currently completing studying. After graduation I wish to work for the State Department in hopes to one day become an ambassador and maybe even Secretary of State to represent the United States in nations across the world. However, because of my legal status I cannot follow this dream to serve the United States. Without citizenship I am not eligible to work or intern for the State Department. My aspirations seem to be coming to a halt, and now with DACA being rescinded I risk losing everything I have worked my entire life to achieve.

I am not the only one in this position. Roughly 800,000 young adults will be at risk of being sent back to a country they know nothing of. Many of us were brought here by our parents to escape unstable governments and widespread violence that posed mortal danger to us on a daily basis. Now is the time for our community's leaders to use their platforms to give a voice to young adults like me, who wish nothing more than to finally become a part of the only country most of us know. Most of us dream to raise families in the United States and work hard to give back to the country that gave us our lives. This is why I wholeheartedly support PR22-448 and encourage further actions such as these to push Congress to swiftly pass a comprehensive immigration reform that provides Dreamer's a pathway to citizenship.

Thank you.

DC City Council Testimony

Prepared by Denise Woods, MS MA - Member of All Souls Sanctuary Leadership

I am Denise Woods and last month I travelled to AZ and Mexico as part of a Unitarian sponsored pilgrimage I took with Border links to better understand immigration on the border. I did this as part of All Souls Unitarian Sanctuary Leadership and as a human. I would like to share a tiny fraction of this recent trip to the belly of the beast of immigration. We met with approximately 12 non profits who support migration justice and while no testimony could ever convey their courage or tenacity I am going to share a few experiences to help draw a mural of my own experiences.

Ironically, one of the most life defining moments was when we walked in the desert where 7,000 people - who were pushed across borders by violence and disruption - perished. I saw the backpacks and water bottles they left behind in their final moment when they knew this might be their last breath. I did not see their face but I knew their hopes - food, family, escape or a job. Yet it was too much to ask.

As I stared at the last remnants of their lives strewn on the sands the unfairness of life cascaded upon me. I found out that they travel at night with no light , consequently bouncing back and forth as though playing an evil ping pong game between cacti with needles long and sharp. Blisters on their feet literally could mean a death sentence.

The government understanding just how "dangerous" hungry people are, have assigned 50 border patrol agents per mile on land. This includes helicopters ordered to fly above the heads of travelers as a way to scatter and separate them into confusion, subsequently leading to their capture or separation from the cartel led group they began their trek with. With such a cruel tactic conducted by the United States government, I began to contemplate how terror is justified for those categorized as undocumented and unlucky.

One of those woman was Mary Cruz who was walking with a cartel led group who fell down a unexpected precipice and broke her ankle and was kicked out of her because she was walking too slow. Her shoes made of discarded tire were unwieldy and she walked on for 1, 2,3,4,5,6,7, days till she tripped and broke her other ankle. What could she do? What would you do? She continued. She found a piece of carpet to kneel on and moved it one knee at a time. Then one day she heard a voice, "we are samaritans and we are your friends - we come bringing water". The Samaritans - a humanitarian group which leaves food and water in the desert - had found her and saved her. How far would you walk to find food for your family?

The next day after the desert walk we went to court where I witnessed the banality of evil; men, women were shuffled into court, and asked the same rote questions. Questions that always lead to the sum of "guilty". After herding these travelers to a sentencing of immediate deportation or stints of time in prison before the 'gift' of a ticket back to a place they are afraid of calling home- these 75 men and women were herded back into the custody of law enforcement without even an

opportunity to explain their reasoning for risking their lives in a way that is considered illegal but in reality makes sense for survival. President Trump has fostered Operation Streamline throughout the United States, apprehending up to 1,000 travelers a day alone in Tucson. The criminalization of the migrant is a daily terrorizing occurrence with mandatory road blocks set up through out AZ to check for papers. I went through one and my heart pounded as I had to stop for dogs and guns and I am a citizen.. It was heartbreaking to see how small the travelers looked. Like children even; presumably due to malnutrition, the travelers wore tattered clothes from their desert sojourn, and others were visibly burnt by the heat of the sun.

As I looked at their faces in court I saw the faces of people who I have known and loved through out my life but mostly a man named Angel who rescued my daughter maya and I when we could not leave the trailer home we were staying in with a family in an indigenous village in Costa Rica due to rains for 40 days and 40 nights. Angel took a chain saw and found us a way out. And as I stared at their familiar black hair and brown skin all I wanted was a chain saw and to be their angel. They were sentenced "guilty" of attempting to finding a better life or to see child they had been separated from or to escape a war at their front door. The men and women In the court were broken open but not defeated which could be seen in their fist bumps and camaraderie - even as they dreams unraveled at their feet.

One of our final trips was to prison where we met those whose now lived behind bars instead of the dream of a home that had pushed them into the desert. We chatted with Raul Antonio who was running from gangs from El Salvador who would make him pay to sleep on the streets just to stay alive. He had lived 27 years in the US and only wanted to get back to his life including two daughters. He surprised me since he only wanted to joke with us and hoped that his hard work, Christian faith and hopes were enough to give him justice even though he had no lawyer and no money in his pocket. It surprised me that he was not shriveled or shorn but had a twinkle in his eyes as we tried for an hour of conversation and community. We gave nothing more than conversation, knowing that any promises we gave would be false. There was nothing I could give Raul. I could not offer him the lie of freedom or even the truth of deportation. In that moment - I felt bankrupt of anything positive.

We were asked what will we do when we get back home from this metamorphisizing experience; what will we do to calm this beast and I knew I needed all my verbs possible to do my part. They told us the best thing to do is to determine our calling, define our capacity and then make commitments.

The question another way: how far will you go to defeat evil and what can you to take a stand to be an angel. We can't do it all - but we can dig our heels in and not let evil win without a fight. Pick what dreams move your feet forward and do it quickly because all that evil needs to win is for good people to do nothing and I have seen evil and it is not

only in the deserts and court rooms. To that end , I desperately urge the city council to be the Angel with the chain saw for the TPS and DACA people who are living here as part of their own response. To do good for those whose lives depend on it.
Thank you.

Denise Woods, MS MA
All Souls Unitarian Sanctuary Leadership

PR 22-448, the “SENSE OF THE COUNCIL IN SUPPORT OF LEGISLATIVE ACTION TO PROTECT DREAMERS RESOLUTION OF 2017,” and PR 22-525, the “SENSE OF THE COUNCIL IN SUPPORT OF LEGISLATIVE ACTION TO PROTECT TEMPORARY PROTECTED STATUS RESOLUTION OF 2017.”

**Written Testimony of Victoria Latus, Student Attorney with the Immigrant Justice Clinic,
American University Washington College of Law
Thursday, November 2, 2017**

Good Morning Chairman Mendelson and members of the Council. My name is Victoria Latus and I am a law student at American University Washington College of Law and a student attorney in the school’s Immigrant Justice Clinic. Thank you to all Councilmembers for co-introducing these important resolutions and for the opportunity to testify in support of PR22-448 and PR22-525. Passing these resolutions will demonstrate the District of Columbia’s support for TPS beneficiaries and Dreamers across the nation, including the thousands of whom reside in the District.

The Immigrant Justice Clinic provides legal representation to immigrants in the D.C. metropolitan area, including many who are beneficiaries of DACA or TPS. In my testimony today, I would like to discuss two main points: first, the significant threats beneficiaries of both the DACA and TPS programs are facing under the current administration; and second, the need to maximize access to legal services, via bill 22-80, Access to Justice for Immigrants, given likelihood that the threats to both programs will lead to many more people seeking out legal assistance to understand their options in these uncertain times.

Threats to Beneficiaries of DACA and TPS

The DACA program provided a minimal level of security to young immigrants by granting them a two-year reprieve from deportation and by allowing them access to basic things that many Americans take for granted, like the ability to obtain an education, to legally work in this country, and to get a diver’s license. DACA benefitted almost 800,000 young people, including close to 1,000 DACA recipients residing in the District of Columbia, and many more living in the region. On September 5th of this year when Attorney General Sessions announced the end of the DACA program, the lives of these hundreds of thousands of hardworking young people were placed at risk. If Congress does not act to provide a permanent solution for Dreamers, thousands could be deported, and all will eventually lose their work authorization and access to other benefits.

Next, the TPS program protects individuals who came to the United States from countries that are unsafe because of armed conflicts, environmental disasters, and other life-threatening conditions. There are over 300,000 TPS holders in the country, and about 33,000 TPS-eligible individuals living in the District as members of our communities and contributors to our economy. Donald Trump has already threatened to reduce the scope of the TPS program by changing it from an eighteen-month status to only six months of protection. Additionally, if the TPS program is allowed to expire, tens of thousands of District residents will face the nearly impossible choice of either returning to dangerous conditions or remaining in the United States with no status and the threat of deportation looming over them.

The Need for Increased Access to Legal Services

The two resolutions before the Council are an important way to urge Congress to act on behalf of DACA and TPS recipients; however, regardless of Congress' actions on the two programs, immigrants will remain uncertain and afraid of the changes happening under the current administration. The uncertainty that beneficiaries of both DACA and TPS face highlights the critical need for access to legal services. Even if the federal government chooses to extend these programs, the current political climate will likely urge many immigrants to seek out their legal options and alternatives. Even worse, if Congress does not act, immigrants will need legal assistance in order to remain in the United States, to continue to work, pay their taxes, and gain an education.

In response to the administration's actions ending DACA, nonprofit legal organizations and legal clinics like the Immigrant Justice Clinic in the D.C. area have worked to provide assistance to Dreamers seeking to renew their DACA status. Certainly, if the TPS program expires, clinics and others will work to provide services to advise TPS holders about their legal options. However, despite the hard work of these organizations, the legal needs of the immigrant communities in the District are far greater than the resources currently available. If Congress fails to act on DACA and TPS, these needs will grow exponentially.

In addition to the resolutions before you today, the Council can pass bill 22-80, the Access to Justice for Immigrants Amendment Act of 2017, to help provide financial resources to legal aid organizations that serve immigrants in the District. Regardless of Congress' actions on the two issues discussed today, our communities will continue to face tough immigration enforcement. In light of the current anti-immigrant political climate, providing funding for legal services will demonstrate the District's commitment to itself as a sanctuary and will show the District's care for all of its residents.

Conclusion

In summary, I strongly support PR22-448 and PR22-525 as messages urging action on behalf of DACA and TPS recipients and would encourage the Council of the District of Columbia to pass bill 22-80 to further support immigrants in the District.

Noel Karl Lebondzo Gandou

Commissioner @ Mayor Office on African Affairs

Email: noelkarl2009@gmail.com

Tel: 2404080224

November, 2nd 2017

Dear Chairman Mendelson,

My name is Noel Karl Lebondzo Gandou, Commissioner at the Mayor Office on African Affairs. I am here to support our dynamic but underserved African communities who benefited from DACA and TPS.

We urge you to call upon the United States Congress to take legislative action to protect Deferred Action for Childhood Arrival (DACA) recipients. The DACA program provides a two-year renewable reprieve from deportation to individuals whose parents brought them illegally to the U.S. when they were children. Additionally, the program allows these individuals to study, work, and obtain a driver's license. If Congress does not pass legislation to protect DACA recipients, almost 800,000 individuals will be vulnerable to deportation.

We urge President Trump and Congress to act immediately to extend the temporary protected status (TPS) program. Many African countries such as Democratic republic of Congo, Sudan, Sierra Leone are experiencing on-going armed conflicts, environmental disasters, or extraordinary life-threatening conditions. Individuals who qualify for TPS must renew their status every 18 months. Reduction of the TPS program, regardless of the nationality of the individual covered under TPS, would adversely affect the District since approximately 33,000 individuals who qualify for TPS reside in the District.

We have come too far not to stop now.

Sincerely,

Noel Karl Lebondzo Gandou

Commissioner @ Mayor Office on African Affairs



2200 California Street, NW
Washington, DC 20008

Testimony for “Sense of the Council Regarding Support of Legislative Action to Protect Dreamers Resolution of 2017 and Legislative Action to Protect Temporary Protected Status Resolution of 2017”

November 2, 2017

Washington English Center

Gabriela Mossi, Executive Director

Chairman Mendelson and other members of the DC Council, thank you for the opportunity to speak at this hearing. My name is Gabriela Mossi. I am the Executive Director of Washington English Center.

I join many colleagues who serve the immigrant community today to reiterate the importance of protecting all DC residents. We know the Council has been supportive of our immigrant communities and we hope you will continue to do so through the proposed initiatives.

Washington English Center is a nonprofit provider of English as a Second Language or ESL services in the District of Columbia. We serve up to 1,700 individuals in this area each year, we are open 6 days a week, days and evenings. We have provided English language instruction, computer classes, citizenship test preparation and workforce programs to adult immigrants in our community for almost 25 years.

We have served students from 90 countries but each term approximately 65% of them are Latino and the highest representations are from Central America. Salvadoran students are consistently the largest group up to 20% per term, followed by Guatemalans and, increasing every year, Hondurans. Because WEC welcomes all students regardless of their immigration status, we don't have data on the number of students under the DACA program or Temporary Protective Status. But we know that if just the threat of ending these programs has decreased our enrollment within these groups about 15% at our school, then discontinuing these programs would devastate neighborhoods, businesses, nonprofits, churches... in short our communities, our families.

Central to our mission is that all immigrants gain the education and support they need to build a better future for themselves and for their children. Clearly, we cannot do that in an environment of fear and uncertainty or if families are separated. Residents of the District cannot make valuable contributions to our community without education, language skills being a basic one.



2200 California Street, NW
Washington, DC 20008

It is also important to recognize that the success of our program is not a one-way street. Our students put out enormous effort to improve their language skills. Most of our students juggle this classwork against job and family responsibilities. Against many odds, they find the time to learn because they know how important it is if they are to achieve their aspirations. In turn, we all benefit from the increased contributions they are able to make to the community with those skills.

They are exactly the kind of committed, hard-working people that we want to live in our city and to help build its future.

We need the Council to make strong statements to Congress and the President and pass these resolutions. We want to be sure that all residents of the District know that all are welcome and their local government and all agencies are on their side. Other specific actions we support and want to ask the Council to pass:

- Continue to support adequate funding for adult education.
- Pass Bill 22-80 Access to Justice for Immigrants which is sorely needed.
- Support access to and informational outreach about health care.

To conclude, we do recognize the stresses placed on the city from federal authorities. But, as you consider how continue to move forward, we urge that your decisions be guided by the long view of the future that can be obtained by the decisions you make today.



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DC City Council
November 2, 2017

Thank you to All Councilmembers for co-introducing this important resolution. I am testifying in support of PR22-448 and PR22-525, with a greater focus on TPS. My name is Vicki Gass and I am the Senior Policy Advisor for Central America for Oxfam America. For those who don't know, Oxfam is a global organization that works to end the injustice of poverty by helping people build better futures, holding the powerful accountable and saving lives in disasters. Our mission is to tackle the root causes of poverty and end the manmade injustice of inequality. We defend human rights and help people engage directly in the key decisions that affect their lives. Oxfam works in over 90 countries, including the Central American countries of El Salvador, Guatemala, Honduras and Nicaragua where we have worked for decades.

As you know, Acting Secretary for the Department of Homeland Security (DHS) Elaine Duke will soon decide whether or not to extend Temporary Protection Status (TPS) for people from Honduras, Nicaragua and El Salvador. Oxfam has asked the Secretary to extend TPS for these countries for another 18 months and to exercise her authority under Section 244 of the Immigration and Nationality Act (8 U.S.C 1254(a)) to extend Temporary Protection Status (TPS) for the citizens from El Salvador, Honduras, and Nicaragua. In our letter to her, Oxfam argued that it is in the national security and economic interest of the United States to extend TPS and is consistent with US foreign policy goals in the region. Oxfam is also urging the U.S. Congress to pass meaningful legislation that will end the immigration limbo of TPS holders and provide them with a road to citizenship.

Oxfam is requesting an 18 month extension because ending TPS will undermine US Foreign Policy towards Central America, and because the countries do not have the social and economic infrastructure to absorb a huge influx of people. Nor can the governments guarantee the safety and well-being of returnees due to the high rates of violence and impunity.

Since 2015, when unaccompanied minors and families were surging across the border, the US government has spent 1.3 billion dollars with taxpayer money to address the root causes for the out migration, including violence prevention, institutional strengthening and anti-impunity measures, trade facilitation, and market development. While some progress has been made in anti-corruption efforts and trade facilitation, there is still much that needs to be done to see returns on US investments in the

region. Many of the untenable conditions that drove migration in the first place still exist and continue to be push factors for out-migration.

To begin with, there is a humanitarian crisis in the region. The level of violence people in El Salvador, Honduras and Guatemala are experiencing has been called a war in all but name only. Amnesty International Secretary General Salil Shetty described it as “virtual war zones where lives seem to be expendable and millions live in constant terror at what gang members or public security forces can do to them or their loved ones.” He added “these millions are now the protagonists in one of the world’s least visible refugee crisis.” Similarly, Wendy Cue of the UN OCHA program and Vicente Raimundo Nuñez-Flores of the European humanitarian aid program ECHO, stated “Although they are officially post-conflict countries, the humanitarian consequence of shocking levels of violence differ, little if at all, from armed conflicts.” Finally, researchers Cantor and Plewa wrote that the “recent rates of violent deaths in these two countries [Honduras and El Salvador] in certain years appear to be second only to Syria.” To ground these statements consider that homicide rates in the Northern Triangle countries are eight times more than the global average. Similarly, in a ten day period from September 20 to 30 of this year, 437 people were killed in El Salvador – 43 a day! Or, that Honduras continues to be the most dangerous place in the world for environmental and human rights activists.

Secondly there is the often less visible female face of violence and migration. According to the Honduran National University’s Violence Observatory, nearly 4,000 women were assassinated from 2009 to 2016; and, in the first 7 months of this year, 180 women were assassinated. On average, a Honduran woman is killed every 16 hours. On October 31, 2017, the Guatemalan National Institute of Forensic Science reported that 62 women are violently killed every month. Suyapa Martínez of the Center for Women’s Rights (CDM) also recently denounced that of the 365 known cases of femicide in 2016; only two had a verdict by a judge. The high level of impunity fosters even more violence against women.

Third, the levels of violence are so high that forced internal displacement in the Northern Triangle and Mexico is increasing. For example, the Honduran government identified 174,000 displaced people in only 20 of the 300 municipalities of Honduras, equal to 4% of the population. In El Salvador, 2.1 per cent of interviewees in a national survey had changed residence in the country due to threats or other violence in just one year (2012), a figure that rose to 4.6 per cent for 2014.

Evidence indicates that each displacement exacerbates a downward spiral in living conditions for IDPs in the NTCA. Compared to non-displaced households, IDP households have less access to housing and stable and formal jobs; have lower access to education; suffer greater overcrowding and health problems; and struggle to cover basic needs. Poor children and women are especially vulnerable to sexual and other violence when displaced. Often precursors to out-migration, the lack of safe and viable livelihood options for people are additional push factors for IDPs to leave their countries.

On top of the violence and lack of infrastructure, there is also the ongoing environmental crisis in the “Dry Corridor” of Central America. The United Nation’s Food and Agriculture Organization recently reported that Guatemala, Honduras and El Salvador, are experiencing one of the worst droughts of the last ten years with over 3.5 million in need of humanitarian assistance. The protracted drought has

increased the vulnerability of small scale producers and rural communities given its effects on the loss of livelihoods and decapitalization of rural household economies. The significant reduction in agricultural production has reduced food stocks, decreased dietary diversity and increased cases of malnutrition in children under five. With no end in sight and inadequate government response, the effects of the drought have also forced migration to over-populated urban areas or abroad.

Further, the incursion of organized crime into many state and local structures is exacerbating the structural weaknesses within government institutions. In Guatemala, former president Otto Perez Molina and other government officials, including the vice-president, are on trial for corruption and influence peddling that extends throughout the country. And since August 2017, Guatemala has been in constant crisis due to the current president, Jimmy Morales, trying to roll back the anti-corruption measures so strongly supported by the U.S. government.

Last of all, the NCTA countries continue to be plagued by pervasive poverty and inequality. According to the World Bank, the NCTA countries are among the poorest nations in Latin America with 30%, 26%, and 17% of the people in Honduras, Guatemala and El Salvador, respectively, living on less than \$2 a day. The dominate economic model is oriented towards exports rather than building internal markets, based on keeping wages low and hours irregular, and maintaining fiscal policies that unfairly benefit the economic and politically powerful. Central American governments are unable to guarantee the protection of their citizens or provide lasting responses to the social and economic challenges.

The U.S. government with bipartisan backing in the U.S. Congress identified all of these problems as factors for out-migration and has appropriated funding to address the root causes. Returning nearly 258,000 migrants to El Salvador, Honduras and Nicaragua will undermine the work that is just beginning to see some progress and will have a devastating impact on these fragile economies that depend on the remittances – in El Salvador and Honduras, remittances are 17% of the Gross Domestic Product. Moreover, deporting these migrants could have the adverse effect of displacing countrymen and women with less resources and education causing yet another wave of immigration to the US. Here in this country, families and communities will be destroyed and our economies weakened.

In short, the conditions do not yet exist in Central America for their safe return and deporting people back to the untenable conditions that drove migration in the first place is unconscionable. I urge you to support these resolutions.

**Statement of American University Washington College of Law, Immigrant Justice Clinic
Before the Committee of the Whole
Council of the District of Columbia**

**On PR 22-525, Sense of the Council in Support of Legislative Action to Protect Temporary
Protected Status Resolution of 2017**

&

**PR 22-448, Sense of the Council in Support of Legislative Action to Protect Dreamers
Resolution 2017**

Position: SUPPORT

November 2, 2017

Good morning, Chairman Mendelson and members of the Committee of the Whole. My name is Evelyn Haro, and I along with my colleagues, Michelle Villegas and Victoria Latus, serve as a student attorney with the Immigrant Justice Clinic at American University Washington College of Law. As student attorneys we provide direct legal services for the immigrant community in the Washington, D.C. metro area under the supervision of Professor Jayesh Rathod and Professor Cori Alonso-Yoder.

My colleagues and I will speak to the importance of the proposed resolutions as they relate to the ability of members of D.C.'s immigrant community to continue residing and working in the District. I will discuss the resolution regarding Temporary Protected Status (TPS), PR 22-525. Michelle Villegas will speak to the unique vulnerabilities of the children in these communities when she discusses the future of so-called "Dreamers" through PR 22-448. Lastly, Victoria Latus will address the impact these two proposed resolutions can have on the pending "Access to Justice" legislation presently before the Council and aimed at funding immigration legal services. To begin, I will lay out what Temporary Protected Status is and the kinds of eligibility requirements placed on TPS applicants. Then, I will address the economic and humanitarian costs of failing to extend TPS or finding more permanent solutions for these communities.

What is Temporary Protected Status (TPS)?

Since 1990, the Attorney General has had the ability to grant citizens from certain foreign countries, or sections of those countries, a special temporary immigration status known as Temporary Protected Status (TPS)¹ under Section 244 of the Immigration and Nationality Act. This is meant to be a humanitarian designation, so the Department of Homeland Security (DHS) must first find that these countries have experienced major disruptions, like civil wars, ongoing armed conflicts, environmental disasters, extraordinary life-threatening conditions, or other such threats. Essentially, foreign citizens who apply for Temporary Protected Status cannot

¹ INA § 244, 8 U.S.C. § 1254

reasonably return to their countries of citizenship, so they are permitted to reside and work within the United States and are subject to the renewal of that status as the government sees fit.²

TPS designations for Central American countries directly impacts the Latino population in the Washington, D.C. area. In a 2017 study, the Migration Policy Institute (MPI), an independent, nonpartisan, nonprofit think tank in Washington, D.C. dedicated to the analysis of global migration, found that “[t]he U.S. cities with the most Central Americans in the 2011-2015 period were the greater Los Angeles, New York City, **Washington, D.C.**, Miami, and Houston metropolitan areas. [And that] [t]hese five metropolitan areas accounted for 52 percent of Central Americans in the United States.”³

TPS Beneficiaries Work With the Law

The defining characteristic of TPS is the government’s central role in the lives of TPS recipients.⁴ In order to qualify for TPS, recipients must proactively work within the legal framework of TPS. On the one hand, TPS recipients do receive the benefit of cancellation of removal from the country while the temporary status is in effect, and they are also granted employment authorization.⁵ On the other hand, though, TPS recipients only receive these benefits if they consistently work **with** the law by reapplying for TPS at regular intervals of eighteen (18) months, maintaining continual physical presence in the United States, and generally abiding by the law. Regardless of these requirements, TPS is **not** a pathway to citizenship or lawful resident status. Furthermore, TPS beneficiaries have no access to publicly funded social services.

Moreover, TPS is only granted to those that meet the eligibility requirements set out in the Immigration and Nationality Act.⁶ The applicant must first show that he or she was present in the United States at the time his or her home country was designated for TPS. The applicant must then also show that he or she is admissible⁷ in the United States. In order to be considered

² Countries that currently have TPS designation are: El Salvador (in response to the 2001 earthquakes); Haiti (in response to the 2010 Haiti earthquake); Honduras & Nicaragua (in response to Hurricane Mitch in 1998); Somalia; South Sudan; Sudan; Syria (in response to ongoing civil war); Nepal (in response to earthquake); and Yemen (in response to ongoing civil war), available at <https://www.uscis.gov/humanitarian/temporary-protected-status>.

³ Gabriel Lesser & Jeanne Batalova, *Central American Immigrants in the United States*, (2017) (emphasis added), <https://www.migrationpolicy.org/article/central-american-immigrants-united-states>

⁴ Cecilia Menjivar, *Liminal Legality: Salvadoran and Guatemalan Immigrants’ Lives in the United States*, 111 *American Journal of Sociology* 999–1037, 999 (2006).

⁵ INA § 244(a)(1), 8 U.S.C. § 1254(a)(1)

⁶ INA § 244(c)(2), (3), 8 U.S.C. § 1254(c)(2), (3).

⁷ Not just any foreign citizen is eligible to receive TPS. An individual is not eligible for TPS if the person has been: convicted of any felony or two or more misdemeanors committed in the U.S.; found to be inadmissible to the U.S. based on grounds listed in INA section 212(a), including non-waivable criminal and security-related grounds; or subject to any of the mandatory bars to asylum. A person can also become ineligible for TPS if they, without good cause, fail to

Moreover, the study found that the “loss in GDP and turnover costs would be felt most acutely in the locations where Salvadorans, Hondurans, and Haitians are primarily located, including major metropolitan areas,”¹¹ like the D.C., Maryland, and Virginia area. In short, there is a huge economic liability for the financial well-being of the District that cannot be ignored.

Humanitarian Costs

Beyond the financial risk, failing to extend the TPS program would further aggravate the existing sense of instability and insecurity for members of the D.C. community. While TPS creates a threshold legal status for beneficiaries, it is truly just a form of liminal legality, an “in-between” status that is constantly in flux and is reliant on the proactive action of the applicant to engage with the law.¹² A person’s immigration status is regularly diluted down to documented status. However, recipients of TPS often occupy a gray legal area in which they are neither documented nor undocumented, “but [instead] may have characteristics of both.”¹³ Because of this limbo legal status, TPS recipients are treated as different and secondary in society. These legally fabricated social distinctions undermine the fact that many TPS recipients have become integrated into the very social fabric of D.C. life. Foreign nationals from Honduras or Nicaragua, for example, have built lives in the United States under TPS for the past eighteen years. We see these TPS beneficiaries every day – they are our classmates, our neighbors, our fellow churchgoers, and our friends. We cannot fail to acknowledge the human element at risk here.

Moreover, TPS was meant to be used as a tool in responding to humanitarian needs and should be used as such. Taking the example of Haiti, we see how a country should receive TPS designation even after the event triggering the designation has passed. Haiti first received TPS designation following the 2010 earthquake, but its TPS designation has been extended regularly because the country’s recovery has been slow and marked by several setbacks – most recently, Hurricane Irma devastated crops and further damaged infrastructure. Under the current process, however, TPS recipients are left to contend with the ongoing difficulties in their home countries and an inability to achieve full social integration in the United States because of their unending temporary status.

Conclusion

On May 22, 2017, President Trump expressed intent to reduce the number of months that Haitian nationals may receive TPS coverage from eighteen (18) months to six (6) months. The Immigrant Justice Clinic at American University Washington College of Law supports resolution PR 22-525 because it seeks to put pressure on President Trump to extend, rather than limit, TPS.

In order to more precisely address the economic and humanitarian risks of perpetual legal instability, the Clinic also advises the Council to garner congressional support for a pathway to lawful permanent status for TPS recipients. TPS recipients actively follow the law and contribute to the economic and social well-being of our country. We now have a moral imperative to build upon TPS to reach full social integration. Thank you for your consideration.

¹¹ *Id.*

¹² Menjívar, *supra*, at 1000.

¹³ *Id.* at 1008.

**STATEMENT OF MICHELLE VILLEGAS
STUDENT ATTORNEY WITH THE IMMIGRANT JUSTICE CLINIC AT THE
AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW**

**BEFORE COMMITTEE OF THE WHOLE
COUNCIL OF THE DISTRICT OF COLUMBIA**

**ON RESOLUTION PR 22-448, SENSE OF THE COUNCIL IN SUPPORT OF
LEGISLATIVE ACTION TO PROTECT DREAMERS**

POSITION: Support

November 2, 2017

Good Morning Councilmembers,

Thank you all for co-introducing PR 22-448, a resolution that calls upon the United States Congress to take legislative action to protect Deferred Action for Childhood Arrivals (DACA) recipients. My name is Michelle Villegas, I am student attorney at the Immigrant Justice Clinic of American University Washington College of Law. In this clinic, we are supervised by Professors Jayesh Rathod and Cori Alonso-Yoder. Our clinic provides legal representation and support to the immigrant community of the D.C. metropolitan area. I am here to testify in support of this important resolution. I am here today to respectfully request that the committee adopt PR 22-448 to demonstrate the Council's support of the immigrant community and immigrant rights, specifically those affected by the rescission of DACA.

DACA has come under attack by Donald Trump's Administration and we feel it is part of our duty as law students to openly condemn and share our disappointment, frustration, and concern with the decision to rescind the program, considering both the social and legal implications of this action.

In 2012, President Obama announced DACA via the vehicle of an executive order. It opened the doors for certain undocumented individuals who arrived in the U.S. as children to obtain a valid work permit, social security number (for work purposes only), relief from deportation, and in some states, a driver's license, and access to financial aid for higher education. It was not a pathway to citizenship. It did not grant any type of immigration status to recipients. It merely provided individuals with the ability to work. Notably, it also validated the presence of many undocumented young people by allowing them the opportunity to support their families and pursue their dreams just like their peers.

At the time that DACA was rescinded, it boasted over 800,000 participants. The Migration Policy Institute estimates that as of 2016, up to 1.9 million were potentially still eligible.¹ A 2017 survey conducted by the Center for American Progress, the National Immigration Law Center, United We

¹ See Migration Policy Institute, *Frequently Requested on Immigrants and Immigration in the United States*, available at <https://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states>

Dream, and the University of California, San Diego, found that immigrant youth embody the entrepreneurial spirit, with DACA recipients “outpacing the general population in terms of business creation.” DACA recipients are making significant societal and financial contributions to our nation, resulting in “more prosperous local, state and national economies” and “safer and stronger communities through increased access to cars and home ownership.” The survey’s results also show that “at least 72 percent of the top 25 Fortune 500 companies employ DACA recipients” including Walmart, Apple, Wells Fargo, Amazon, and JP Morgan Chase to name a few.² In other words, taking action now to protect DACA recipients is critical to our economy’s growth.

With that said, Undocumented individuals are not second-class citizens. Their livelihoods are not measured by their ability to contribute economically, nor are they leverage for parties to utilize in the hopes of furthering their political agenda. DACA recipients have come to reasonably rely on the benefit of work authorization and should have the right to retain this benefit as eligible, law-abiding recipients. Furthermore, the right to work is recognized by the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. While immigration reform is still needed, DACA allowed for thousands of individuals who have called the United States their home almost all of their lives to have stability and access to this basic right. Being able to exercise the right to work is incredibly empowering and can change the trajectory for undocumented individuals, especially youth.

For example, in my prior work spearheading DACA assistance at a nonprofit, one of my former students was only considering attending community college in his post-high school plans. He was a responsible and productive student, but his family could not financially support his higher education endeavors. However, with DACA, he was able to work part-time with our nonprofit as soon as he graduated. With a work permit, he was a Workforce Investment Act enrollee, meaning that as long as he was a college student, he was able to work with us. He is now in his senior year at California State University, Sacramento, and is working with the Dreamer Resource Center as a program coordinator for high school-age Undocumented youth. Had he not been able to support himself financially through his college career, he may not have been able to attend CSU Sacramento, nor build the professional network that he has now created for himself.

Rescinding DACA is a direct attack on immigrant communities, which is especially concerning to us as budding attorneys practicing pro-bono immigration work. It is difficult because we have seen the positive impact DACA had on the clients and community we serve. Now we’re witnessing the anxiety, uneasiness, and fear that has infiltrated the community we serve and share their concerns as ICE raids become more commonplace in the DMV area. While participating in community demonstrations in support of DACA, I saw a young woman who was moved to tears as she spoke about the loss of opportunity to contribute to her family, which meant her elderly parents would need to work even more than they already do. I also witnessed a parent with DACA who had young U.S. citizen children voice her concerns about how to

² See Center for American Progress, “DACA Recipients’ Economic and Educational Gains Continue to Grow,” available at <https://www.americanprogress.org/issues/immigration/news/2017/08/28/437956/daca-recipients-economic-educational-gains-continue-grow/>

express the possibility of her removal to her children so that they would understand her absence and why they are all of a sudden under the guardianship of one of her friends.

Our law school is one that prides itself on its mission aimed to the progression of human rights for all. As legal scholars, we are appalled as we observe this unjust action with a backdrop of other due process, separation of powers, and constitutional concerns. As future advocates, we stand firmly against the decision to rescind DACA. As future attorneys, we stand for immigrant rights and will provide our support to the immigrant community in whatever capacity we can. It is critical that Congress step in to protect DACA recipients and convey the message that despite hateful, xenophobic rhetoric, the U.S. government still cares about and values its immigrant communities. We hope the Council does so as well in passing this significant resolution.

Thank you for your time and consideration.

November 2, 2017

Marybeth Onyeukwu
4315 First ST SE APT 2
Washington DC 20032
m.onyeukwu@gmail.com

Good Afternoon Councilmembers,

I am a member of the Black Immigration Network - DC Chapter. The Black Immigration Network (BIN) is a national network of people and organizations serving black immigrant and African American communities who are focused on supporting fair and just immigration, as well as economic and social policies that benefit these communities and all communities of color in order to create a more just and equitable society.

I have been a DACA recipient for the last four years. I'm also beneficiary of DC Healthcare Alliance. And I understand very well the precarious nature of having temporary immigration status, particularly one that is subject to the whims of the political moments. Like other TPS recipients from El Salvador, Honduras, Somalia, South Sudan and Haiti. My own future is jeopardized by the xenophobic and frankly racist administration. And like other TPS recipients I would benefit from the DC Council standing up to this administration regardless of the xenophobic, bigot that occupies the White House.

DC calls itself a sanctuary city, which is an important, meaningful step first step. And this resolution calling on Congress to take legislative action around DACA and TPS aligns itself with that vision. Nevertheless, I implore this Council to take the next step in making that policy a reality for many vulnerable to the current administration. Some may have note that DC has already severed the cord between ICE and DC police through its immigration detainer policy. However, there are more steps that need to be taken. It is imperative that DC tax dollars are not being spent on the detention and eventual deportation of DC residents, which is in direct contradiction in what its residents stand for.

The DC Department of Corrections still has a standing practice of alerting ICE when a person is about to be release from jail. This is one of the ways immigrants in the city are being funneled into the detention and deportation machine. These are people who have already served their time, going through essentially a double punishment. This practice is a clear violation, if not the letter, but the spirit of DC's sanctuary city policy.

Furthermore, in "Operation Safe City" ICE targeted sanctuary cities such as the District and arrested and detained 14 DC residents about a month ago. Again, DC Council must step up in making sure these individuals are not lost in the deportation machine.

There are key steps this Council can take:

- Publicly denounce Operation Safe City
- Publicly demand all 14 residents to be released immediately
- Ensure all 14 residents have access to legal representation
- Continue to strengthen DC's sanctuary city policy

To be a sanctuary city must mean sanctuary for all. And that begins with today's resolution and continues severing all ties between DC government and ICE.

Thank you.

Testimony of Kreszentia M. Duer
In Support of PR 22-448 and PR 22-25

Thank you to all Councilmembers for co-introducing these two resolutions.

My name is Kreszentia Duer, and I have been a resident of Ward 2 for 39 years. I am here on behalf of ACLU People Power-DC in support of PR 22-448 and PR 22-525.

Protecting DACA and Temporary Protected Status recipients is an economic and moral imperative.

Over its five-year history, DACA has enabled 800,000 young people to come forward, pass rigorous background checks, and obtain permission to live and work in the United States.

The Center for American Progress estimates that ending DACA would rob \$460 billion from the national GDP over the next decade. It would remove about 685,000 workers from the nation's workforce and force nearly 800,000 young people to leave the only country they have known.

The threat to TPS would affect an additional 300,000 immigrants whose countries of origin are still unsafe. TPS holders from El Salvador, Honduras and Haiti are particularly at risk. A report by the Immigrant Legal Resource Center spells out the costs:

- Deporting all Salvadoran, Honduran, and Haitian TPS holders would cost US taxpayers \$3.1 billion dollars; reduce Social Security and Medicare contributions by \$6.9 billion over a decade; and slash GDP by \$45.2 billion over a decade.
- The wholesale layoff of the employed TPS population from these three countries would saddle employers with \$967 million in turnover costs.

Moreover, construction companies in the Washington DC region estimate they would lose 20% of their skilled workforce if TPS ends.

As a sanctuary city, the District has committed to safeguard our vulnerable residents. Ending TPS would affect 35,000 people in the District. Ending DACA would hurt about 1,000 young people here who have applied for DACA. Ultimately, it is Congress that must provide a permanent fix, but passage of these two resolutions would be an important step in compelling Congress to act.

At this time, we also urge the Council to pass and fully and sustainably fund the Access to Justice for Immigrants Amendment, Bill 22-80. There is already an enormous need to provide representation for low income immigrants in the District. This need will immediately grow by 36,000 residents if TPS and DACA are ended.



November 15, 2017

Committee of the Whole
Council of the District of Columbia
Suite 410
John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

To the Members of the Committee:

As employees of Capital Partners for Education (CPE), a non-profit mentoring organization for low-income students that has been operating in the District of Columbia for twenty-five years, we would like to thank the District Councilmembers for co-introducing this important resolution. We are hereby issuing supporting testimony in favor of PR22-448 and PR22-525.

CPE's mission is to provide low-income students in the D.C. area with the skills and experiences that they need to successfully complete college and to excel in the workforce. Each CPE student is matched with a college-educated volunteer mentor, who with staff assistance helps guide that student through the college application process; when students enroll in college, CPE and their mentors continue to provide them with coaching for their future careers. CPE currently serves over 375 students, all residents of the District, Maryland, and Virginia, with most concentrated in Wards 7 and 8. CPE's students and their parents often come to see the student's mentor as a part of their family, and we at CPE likewise see our students as part of an extended CPE family.

We are inspired to support PR22-448 because the protection provided by DACA is crucial to so many of the members of that CPE family. DACA permits students to legally work and study in the United States who might otherwise be subject to deportation.

Representative of just how important that protection is are the experiences of a student, who we will here call Luis. (To protect the student's identity, "Luis" is not the student's real name, but the details of his story are all true.) Raised for most of his life in the District and a graduate of D.C. public charter schools, Luis is currently a sophomore in college in the District studying architecture. He one day hopes to become a licensed architect. Like many students CPE has supported over the years, Luis did not learn that he and his family were undocumented until he was applying to college, and found that he did not have any of the necessary paperwork to complete the Free Application for Federal Student Aid (FAFSA).

As a college access and success organization, CPE devotes considerable resources to helping students to understand – and to seek out – financial aid opportunities, including FAFSA. Before DACA took effect, it was at this point that the hopes that many CPE students had placed in attending college were suddenly turned upside down. Unable to qualify for the single largest source of financial aid nationwide, CPE's low-income students were forced to reconsider whether they could even attend college, to say nothing of what their uncertain legal status meant for the rest of their futures. Fortunately, the protections put in place by DACA meant that Luis could safely continue his studies. Although he was still unable to qualify for federal financial aid, he received much support from the city that had raised him, in the form of numerous local scholarships. Should DACA be revoked, however, Luis would face possible deportation midway through his junior year of college. Affirming PR22-448



would be a sign that the District continues to offer Luis the same support that it has always shown him.

Luis's story is but one example of the many stories that CPE has encountered in its twenty-five year history. Learning late of their undocumented status, students have explored having documented siblings formally adopt them. Students have had to weigh whether they would continue their studies in the United States or return abroad with their families should their families be deported. At eighteen, students should be choosing the college that is the best fit for them – these other, graver choices are ones that no student who has grown up in the District should be forced to make.

CPE has recently undergone a large-scale program refinement to identify the areas where its programming is most effective and can be most consistently applied. Faced with cases like Luis's, CPE is forced to wholly rearrange its conventional programming; lessons about FAFSA completion lose their meaning, and other avenues to college access must be tried. Devising sudden strategies when students learn – only at the eleventh hour – of their undocumented status places obvious strain on an organization with limited resources. Yet we remain committed to serving students like Luis because we are convinced that it is the right – indeed only – thing to do. We urge the District Council to make a similar commitment. On behalf of its students and their families, CPE encourages the Council to adopt PR22-448 and PR22-525.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brandon White', with a horizontal line underneath.

Brandon White
Chief Program Officer
Capital Partners for Education

Statement for the Record of Kids in Need of Defense

on

PR 22-448 Sense of the Council in Support of Legislative Action
to Protect Dreamers Resolution of 2017

and

PR 22-525, Sense of the Council in Support of Legislative Action
to Protect Temporary Protected Status Resolution of 2017

before

The Committee of the Whole
Council of the District of Columbia

November 16, 2017

Kids in Need of Defense (KIND) respectfully submits this statement for the record in support of legislative action to protect Dreamers and Temporary Protected Status (TPS) recipients. We would like to thank Chairman Mendelson and members of the Committee for their leadership in addressing the needs of these vulnerable populations in this time of great uncertainty for immigrant communities nationwide and throughout Washington, DC.

KIND stands by thousands of Dreamers and TPS recipients whose lives have been uprooted by the abrupt termination of DACA and the uncertain future of TPS. We strongly support the passage of legislation to protect these individuals, who have made immeasurable and important contributions to this country they call home. We believe that this relief can and should be enacted swiftly and without resort to deals or trades that falsely condition the protection of these groups on the elimination of protections for other vulnerable populations, including unaccompanied child immigrants and refugees.

Background

Since 2014, more than 200,000 children have arrived alone to the United States. Many of these children are fleeing grave violence, including gender-based violence and human trafficking, in their home countries--the majority from Honduras, Guatemala, and El Salvador. When detected by immigration officials, these children are placed in court proceedings directed at deporting them from the U.S. More than 60 percent will face immigration proceedings in court without legal representation to assist them in navigating some of our nation's most complex laws. KIND was established to address this critical gap in representation and works to ensure that no refugee or immigrant child faces immigration court alone.

As a national organization, Kids in Need of Defense (KIND) works in partnership with over 477 law firms, corporate legal departments, law schools, and bar associations, which provide pro bono representation to unaccompanied children referred to KIND for assistance in their deportation proceedings. KIND has received more than 14,500 child referrals since we opened our doors in 2009, and trained over 20,400 pro bono attorneys.

KIND also helps children who are returning to their home countries through deportation or voluntary departure to do so safely and to reintegrate into their home communities. Through our reintegration pilot project in Guatemala and Honduras, we place children with our local nongovernmental organization partners, which provide vital social services including family reunification, school enrollment, skills training, and counseling. KIND advocates to change law, policy, and practices to improve the protection of unaccompanied children in the United States, and is working to build a stronger regional protection framework throughout Central America and Mexico. We educate policymakers, the media, and the broader public about the violence that is driving children out of the Northern Triangle and their need for protection.

The Protection of Dreamers

In September 2017, the Administration terminated Deferred Action for Childhood Arrivals (DACA), cruelly exposing nearly 800,000 individuals who came to the U.S. as children to potential deportation. Since that time, Dreamers, their families, and their communities have

experienced great anxiety and uncertainty as policymakers and the Administration discuss potential legislative remedies to protect these vibrant and impressive young people.

KIND strongly supports the swift passage of the DREAM Act to extend lasting protection to those who for all but paperwork are Americans. We are deeply concerned, however, about proposals that condition support for such legislation on the elimination of protections for other vulnerable groups, including unaccompanied children and asylum seekers. Protection of the most vulnerable should never be contingent on politics.

In announcing the termination of DACA, the Trump Administration falsely asserted that the program had “contributed to a surge of unaccompanied minors on the southern border that yielded terrible humanitarian consequences.”¹ In fact, it is grave violence and threats to their lives—not the promise of deferred action—that have driven thousands of Central American children to seek protection in the United States.

Most unaccompanied children arrive at our nation’s Southern border after fleeing extreme violence in Central America. Increasing numbers of these children, particularly girls and LGBT youth, are fleeing gang or sexual and gender-based violence from which their countries cannot protect them.² The U.N. High Commissioner for Refugees (UNHCR) has reported that the majority of children arriving at the border have valid claims for protection under international law.³

Widespread and ongoing violence has compelled children to seek protection in the United States for more than a decade, with numbers beginning to rise well before DACA’s implementation in 2012. To date, children continue to flee Central America in large numbers, as the root causes of their flight, including pervasive violence by gangs and narcotraffickers and a lack of protection, have not been resolved. Legislative proposals that undermine protections for these children in the name of other immigrants who arrived as children cruelly sideline the protection of both groups and do nothing to stem the humanitarian crisis at our nation’s border.

We support the Council in its call for legislative action to extend protection to hundreds of thousands of DACA recipients and Dreamers, and urge the swift passage of a clean DREAM Act, free of tradeoffs that would threaten the well-being and safety of other vulnerable groups.

Temporary Protected Status

Temporary Protected Status has afforded essential relief to thousands in the wake of devastating natural disasters and conflict. Nearly 300,000 people currently depend on this protection to access safety and stability that are unavailable in their home countries. Over the course of

¹ Dep’t of Justice, *Attorney General Sessions Delivers Remarks on DACA* (Sept. 5, 2017), <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-daca>.

² See KIND & Human Rights Center Fray Matias de Cordova, *Childhood Cut Short: Sexual and Gender-based Violence against Central American Migrant and Refugee Children* (June 2017).

³ U.N. High Commissioner for Refugees, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection* (Mar. 2014).

decades, these individuals have become vibrant and essential members of communities across the country, and have created lives, families, and businesses.

The Administration's recent termination of TPS for Nicaragua, with a 12-month extension, exposes nearly 2,500 individuals to deportation to a region still recovering from natural disasters and ongoing violence. With the official decision on their own country's TPS designation overdue, nearly 57,000 Hondurans have received an automatic six-month extension, but face great uncertainty about what is to come. These decisions, and the possible termination of TPS for other countries, including Haiti and El Salvador, threaten to further destabilize families whose very vulnerability TPS was intended to address.

Without TPS protection, hundreds of thousands of individuals will face possible deportation and the loss of work authorization in the United States. Families will be torn apart, leaving emotional and economic devastation in communities nationwide. Individuals returning to their countries, some after decades away, will become extremely vulnerable as a result of their perceived wealth and lacking opportunities in the region.

The return of scores of people to Central America poses grave challenges for nations already experiencing staggering violence and economic instability. As a growing internal displacement crisis drives thousands from their homes, increasing numbers of people will have no choice but to leave their countries in search of safety and the stability in the United States.

Many TPS holders are parents or sponsors of former unaccompanied children or resettled child refugees. They are providing care and custody for thousands of children our government has deemed as needing to remain in the United States. Returning these children's support systems would put them in danger and risk the safety they have found in this country.

El Salvador and Honduras currently have two of the highest homicide and femicide rates in the world. Despite alarming rates of violence, the governments of these countries are doing little to nothing to protect victims of violence – especially women and children. Staggering impunity rates mean that less than 10 percent of sexual- and gender-based violence cases will result in a conviction. Every day KIND hears stories of children who have fled unimaginable violence in El Salvador and Honduras and have come to the U.S. for protection. We urge the U.S. government to provide ongoing funding and resources to address the root causes of violence throughout the Northern Triangle.

Last month, at a regional convening in Honduras, the United States shared its commitment to addressing the unabating violence and lack of protection that force migration from the region. The elimination of TPS protection would run counter to these efforts and deepen the humanitarian crises driving children and families to flee their homes and countries in search of protection.

KIND strongly supports the extension of TPS for Honduras, El Salvador, and Haiti as well as legislation that offers enduring protection to TPS beneficiaries, who have created lives and contributed so much to communities in the United States in wake of devastation in their home countries. We thank the Council for its ongoing support of protection for the most vulnerable.

10 A PROPOSED RESOLUTION

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12 22-448
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14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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19 To declare the sense of the Council that the United States Congress should take immediate action
20 to protect Deferred Action for Childhood Arrival (DACA), also known as Dreamers,
21 recipients.
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23 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
24 resolution may be cited as the “Sense of the Council in Support of Legislative Action to Protect
25 Dreamers Resolution of 2017”.

26 Sec. 2. The Council finds that:

27 (1) On September 5, 2017, Attorney General Jeff Sessions formally announced
28 that the Trump Administration would end the Deferred Action for Childhood Arrival (DACA)
29 program established under President Obama on June 15, 2012.

30 (2) President Trump’s decision leaves hundreds of thousands of individuals in
31 fear of deportation unless the United States Congress takes immediate action and passes
32 legislation in support of DACA.

33 (3) DACA recipients were granted a two-year reprieve from potential deportation
34 proceedings, as an individual with a deferral status was not considered to be present unlawfully
35 in the United States during the deferral period. Individuals could reapply for additional two-year
36 deferment periods.

37 (4) The nearly 800,000 Dreamers in the United States protected under DACA
38 have proven themselves to be taxpaying, law-abiding, and productive citizens.

39 (5) Over 900 Dreamers call the District of Columbia home, while thousands more
40 contribute to the District's schools, workforce, and community.

41 (6) At least 97 percent of Dreamers are either in school or in the workforce.
42 Without protection afforded under DACA, these individuals will face significant, if not
43 insurmountable, barriers to doing either.

44 (7) The nearly 800,000 Dreamers protected under DACA were brought to the
45 United States as young children, and for many, it is the only country that they have ever known.
46 If they are deported, they will be ripped apart from their families and friends and sent to a
47 country where they may know no one and have no support system.

48 (8) Those enrolled in DACA or who would have been immediately eligible to
49 enroll in DACA contribute an estimated \$2 billion a year in state and local taxes.

50 (9) According to a Morning Consult and Politico poll in April 2017, 78% of
51 American voters support providing Dreamers the chance to live permanently in the US.

52 (10) Beginning in March 2018 DACA recipients will be eligible for deportation.
53 Given that this is less than four months away, it is imperative that action be taken to protect these
54 recipients and to provide them with the opportunity to become citizens of the United States.

55 Sec. 3. It is the sense of the Council that the United States Congress should act
56 immediately to pass legislation that protects DACA recipients.

57 Sec. 4. The Secretary to the Council of the District of Columbia shall transmit a copy of
58 this resolution, upon its adoption, to the Office of the President of the United States, both leaders
59 in the United States House of Representatives, both leaders in the United States Senate, the
60 Attorney General of the United States, and the Office of the Mayor of the District of Columbia.

61 Sec. 5. This resolution shall take effect immediately.