



Council on American-Islamic Relations

46-01 20th Avenue
Astoria, New York 11105
www.cair-ny.org | (646) 665-7599

**STATEMENT OF
MARIUM KHAWAJA
OUTREACH AND VOLUNTEER COORDINATOR
COUNCIL ON AMERICAN-ISLAMIC RELATIONS, NEW YORK, INC.**

**BEFORE THE
COMMITTEE ON IMMIGRATION
NEW YORK CITY COUNCIL**

**FOR A HEARING CONCERNING,
A RESOLUTION CALLING FOR THE PASSAGE OF THE NEW YORK STATE
DREAM ACT AND THE BRIDGE ACT**

**PRESENTED
June 19, 2017**

Good morning, my name is Marium Khawaja, and I am the Outreach and Volunteer Coordinator for the New York Chapter of the Council on American-Islamic Relations (“CAIR-NY”), a leading Muslim civil rights advocacy organization. Today, I speak in support of Resolution 1484, which calls on State lawmakers to pass The New York Dream Act, providing educational opportunities to undocumented college students, and calls on Congress to enact the BRIDGE Act, protecting many undocumented New Yorkers from arrest and deportation.¹ I will address the benefits these laws provide to all New Yorkers, focusing on their impact within the Muslim community.

The BRIDGE Act would continue President Obama’s policy of protecting DREAMers; undocumented immigrants who qualify for the Deferred Action for Childhood Arrivals (“DACA”) program. DREAMers are undocumented immigrants who are younger than 31, entered the United States as children, lived continuously in the United States for at least five years, and have never been convicted of a serious criminal offense.²

Since President Trump’s inauguration, U.S. Immigration and Customs Enforcement (“ICE”) has rapidly expanded its detention of undocumented immigrants with no criminal record. So far this year, ICE more than doubled the number of arrests compared to 2016.³ Many of those detained include DREAMers

President Trump’s policies targeted undocumented immigrants from his first days in office. Thankfully, in a victory for community advocates, this past Friday President Trump conceded the importance of DACA and agreed to extend the program. Let me be clear, the word of this volatile president is not enough. New York’s DREAMers need the protections of the BRIDGE Act to assure them that their rights will be protected going forward.

DREAMers have been exemplary leaders, active in their local communities, and we all benefit from the stability they receive under DACA. DACA is predicted to add more than \$230 billion to the U.S. economy over ten years.⁴ Rolling back DACA would hurt our community and put DREAMers at risk of deportation from the only country they’ve ever known. The BRIDGE Act provides provisional protected status to undocumented individuals until their DACA’s expiration.

Many undocumented New Yorkers also require assistance to attend higher education. The New York DREAM Act responds by helping alleviate the financial burden that inhibits many DREAMers from

¹ New York Dream Act, State Senate, S. 471A (2017); BRIDGE Act U.S. Congress, S. 3542 (114th Congress, 2nd Session, 2016)

² U.S. Dep’t of Homeland Security, Program of Deferred Action for Childhood Arrivals, Section 2, (2012). “An individual must show that he or she: ... (4) has not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise poses a threat to national security or public safety.”

³ Maria Sacchetti, *ICE Immigration Arrests of Noncriminals Double Under Trump*, THE WASHINGTON POST, April 16, 2017. https://www.washingtonpost.com/local/immigration-arrests-of-noncriminals-double-under-trump/2017/04/16/98a2f1e2-2096-11e7-be2a-3a1fb24d4671_story.html?utm_term=.52129cdde6f2

⁴ Silva Mathema, *State-by-State Analysis of the Economic Impact of DACA, DAPA, and DACA Expansion*, CENTER FOR AMERICAN PROGRESS, June 15, 2017. <https://www.americanprogress.org/issues/immigration/news/2015/06/15/114894/state-by-state-analysis-of-the-economic-impact-of-daca-dapa-and-daca-expansion/>

pursuing college.⁵ Of the 4,500 undocumented New Yorkers who graduate from high school every year, only 5-10% continue on to higher education.⁶ The New York DREAM Act is an indispensable tool for promoting the social mobility of undocumented New Yorkers, but it will also improve our State's economy overall.⁷ In the United States, college graduates earn on average \$30,000 more per year than those with only a high school degree.⁸ In New York State, the effect is even more drastic, with college graduates earning \$57,400 more.⁹

The nature of our workforce is changing, and in the coming years New York will need ever expanding numbers of college educated workers. As the market demand for high school graduates shrinks, 65% of jobs are expected to require more than a high school diploma by 2020.¹⁰ Yet despite this increased demand, the United States is projected to underproduce 5 million college educated workers within the same period.¹¹

Dream acts in other states have repeatedly proven to be a success. The the Georgia Dream Act secured educational opportunities for immigrants in that state, increasing workforce productivity between \$111 million and \$494 million within a ten year period.¹²

CAIR-NY sees these laws as essential to the community we serve. Muslim New Yorkers are frequently targeted for surveillance by local and federal law enforcement at a much higher rate than other immigrant groups. We know that 95% of the NYPD's recent political and religious investigations targeted Muslim individuals and organizations.¹³ The NYPD has engaged in extensive surveillance of

⁵ State Assembly, 4311, Gen. Assemb., Reg. Sess. (N.Y. 2017).

⁶ Press Release, ASSEMBLY TO PASS NEW YORK STATE LIBERTY ACT & DREAM ACT (2017), N.Y.S. Assembly (February 6, 2017). <http://nyassembly.gov/Press/20170206/>.

⁷ U.S. Dep't of Labor, Employment Projections, Modified April 20, 2017.

https://www.bls.gov/emp/ep_chart_001.htm. The chart, based on data collected in 2016 notes a lower unemployment rate for higher education levels as well and an increase in earnings with greater education.

⁸Michael Greenstone and Adam Looney, *Is Starting College and Not Finishing Really That Bad?* THE HAMILTON PROJECT (2013).

http://www.hamiltonproject.org/papers/what_happens_to_students_who_fail_to_complete_a_college_degree_is_som_e/

⁹ N.Y. Dep't of Labor, Bureau of Labor Market Information Division of Research and Statistics, Analysis of New York State's 2012-2022 Occupational Projections by Education Level, 10 (2015). <https://labor.ny.gov/stats/PDFs/Analysis-of-2012-2022-Occupational-Projections-and-Wages.pdf>.

¹⁰ Anthony P. Carnevale ET AL., Recovery: Job Growth and Education Requirements Through 2020 13, 21 (Georgetown Public Policy Institute 2013). https://cew.georgetown.edu/wp-content/uploads/2014/11/Recovery2020.FR_Web_.pdf

¹¹ *Id.* at 8-9; Anthony P. Carnevale ET AL., Recovery: Job Growth and Education Requirements Through 2020 4, (Georgetown Public Policy Institute Executive Summary 2013). https://cew.georgetown.edu/wp-content/uploads/2014/11/Recovery2020.ES_Web_.pdf

¹² Mariaangela Buenaventura, *Cost-Benefit Analysis of Georgia's Proposed Dream Act: A Bill to Grant in-State Tuition to Undocumented Students in Georgia*, GEORGETOWN IMMIGRATION LAW JOURNAL 419 vol. 30 (Spring, 2016)

¹³ *Id.* at 4. "According to the Office of the Inspector General for the NYPD ("OIG"), over 95% of recent NYPD political and religious investigations targeted Muslim individuals and organizations."

the Muslim community, targeting neighborhoods, families, mosques and even local businesses for nothing more than simply exercising their faith.¹⁴

Undocumented Muslims face the combined threat of both local and Federal surveillance. As noted in *Ziglar v. Abbasi*, there was a time where over 762 undocumented Muslim men were detained for several months before being deported.¹⁵ In the following years, the U.S. Department of Homeland Security implemented the National Security Entry-Exit Registration System (“NSEERS”), a *de facto* Muslim registry that resulted in the detention of more than 60,000 men from Muslim majority nations, and the deportation of over 10,000.¹⁶

In light of the Trump Administration’s ongoing demonization on Muslim immigrants, our city’s ever-present surveillance apparatus puts undocumented Muslim New Yorkers in an increasingly precarious position. The NYPD’s deployment of highly-intrusive surveillance technologies, often without court approval or oversight, compound the fear of immigrant Muslims. The technologies include military-grade “X-Ray” vans and cell phone surveillance devices known as “Stingrays.” Despite our Mayor’s continued assurances that New York will remain a sanctuary city, NYPD operates without sufficient oversight to ensure that our city’s surveillance tools won’t become the vanguard of a deportation force. The information collected from these technologies remains vulnerable to subpoenas from federal authorities, including ICE, who could potentially use the intelligence collected by the NYPD to track down undocumented immigrants for detention and deportation.¹⁷

For that reason, CAIR-NY and other civil rights advocates continue to support this council’s passage of the POST Act, which would ensure that this council has the ability to oversee the NYPD’s use of new and invasive technologies, closing a loophole that has permitted our police to buy these tools with private and federal funds, thereby circumventing council review.

I commend this committee for its leadership on these crucial issues and the broader fight for the safety of undocumented immigrants. Thank you for giving me the opportunity today to address the Council about this critical issue, and I look forward to working with the Council in advocating for the rights of immigrant New Yorkers.

¹⁴ Albert F. Cahn, Statement Before the Committee on Public Safety New York City Council for a Hearing Concerning, Creating Comprehensive Reporting and Oversight of NYPD Surveillance Technologies 3 (June 14, 2017). “...the NYPD’s Intelligence Division engaged in extensive, suspicionless surveillance of majority Muslim neighborhoods and Muslim families. Additionally, NYPD officials have conducted blanket surveillance of entire mosques, surveilling men, women, and children for nothing more than practicing their faith. Some local businesses have even been classified as “place[s] of concern” for nothing more than having customers of middle eastern dissent.”

¹⁵ *Ziglar v. Abbasi*, 137 S. Ct. 615 (2017). Case currently pending.

¹⁶ American Civil Liberties Union, Sanctioned Bias: Racial Profiling Since 9/11, 7, (2004).

¹⁷ Raphael Pope-Sussman, *NYPD Warns That Oversight of Surveillance Efforts Will Embolden Terrorists*, GOTHAMIST, March 1, 2017, http://gothamist.com/2017/03/01/big_brother_is_none_of_yr_business.php.