

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

**PHYLLIS COACHMAN, ANTHONY
GILHUYS, KATHERINE JAMES, and
DEROY MURDOCK,**

Plaintiffs,

v.

**THE CITY OF NEW YORK and THE NEW YORK
CITY BOARD OF ELECTIONS,**

Defendants.

Civil Case No. _____

COMPLAINT

Plaintiffs, Phyllis Coachman, Anthony Gilhuys, Katherine James, and Deroy Murdock, bring this Complaint against Defendants the City of New York (the “City”) and the New York City Board of Elections (the “Board”), and allege as follows:

INTRODUCTION

1. This lawsuit is a civil rights action pursuant to the Fifteenth Amendment of the United States Constitution (“Fifteenth Amendment”) and Section 2 of the Voting Rights Act of 1965 (“Voting Rights Act”), 52 U.S.C. § 10301, which prohibit Defendants from enforcing any election procedure that was enacted with an impermissible racial intent. The New York City Council (“Council”) enacted a law—Local Law 11—that alters who may vote in New York City elections by allowing the registration of noncitizens to vote. Local Law 11 violates the Fifteenth Amendment and the Voting Rights Act because it was passed with an impermissible racial intent.

2. Plaintiffs, four registered voters in New York City who are Black, were injured the moment Local Law 11 was passed. *See Catholic League for Religious and Civil Rights v. City & County of San Francisco*, 624 F.3d 1043, 1052 (9th Cir. 2010) (en banc) (“The cause of the

plaintiffs' injury here is not speculative: it is the resolution itself.”). Plaintiffs will continue to suffer an actual, ongoing, concrete injury that is directly traceable to this discriminatory law that can only be redressed by a favorable decision by this Court. *See e.g., Tweed-New Haven Airport Auth. v. Tong*, 930 F.3d 65, 70 (2d Cir. 2019). Plaintiffs seek an injunction prohibiting Defendants from registering noncitizens to vote and/or otherwise enforcing and implementing Local Law 11, a declaratory judgment that Local Law 11 is unconstitutional, compensatory and nominal damages, and attorneys' fees, expert fees, litigation expenses and costs, pursuant to 52 U.S.C § 10310(e) and 42 U.S.C. § 1988.

JURISDICTION AND VENUE

3. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1331, 1343 and 52 U.S.C. § 10308(f) because this action alleges violations of the United States Constitution and federal civil rights laws.

4. This Court has jurisdiction to grant declaratory relief pursuant to 28 U.S.C. §§ 2201 and 2202.

5. Venue in this Court is proper under 28 U.S.C. § 1391(b)(1) because the Board has offices within this District and all Defendants are located within the City of New York, and under 28 U.S.C. § 1391(b)(2) because a substantial part of the events or omissions giving rise to the claim occurred in this district.

PARTIES

6. Plaintiff Phyllis Coachman is a registered voter in the City of New York. Ms. Coachman is Black.

7. Plaintiff Anthony Gilhuys is a registered voter in the City of New York. Mr. Gilhuys is Black.

8. Plaintiff Katherine James is a registered voter in the City of New York. Ms. James is Black.

9. Plaintiff Deroy Murdock is a registered voter in the City of New York. Mr. Murdock is Black.

10. Defendant City of New York is a municipal entity created and authorized under the laws of the State of New York. Defendant City of New York is a municipality in the United States and is obligated to comply with both the Fifteenth Amendment to the United States Constitution and Section 2 of the Voting Rights Act.

11. Defendant Board of Elections is a public agency of the City of New York responsible for voter registration and election administration and is required to enforce all City voting laws.

FACTUAL AND LEGAL ALLEGATIONS

Background

12. On December 9, 2021, the Council, the legislative body for the City, passed a bill referred to as Intro 1867-A (the “Bill”), titled “A Local Law to amend the New York City charter, in relation to allowing lawful permanent residents and persons authorized to work in the United States in New York City to participate in municipal elections.” Local Law No. 11 of 2022, *available at* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4313327&GUID=DF600BDA-B675-41D8-A8BD-282C38DC4C62>, also attached as **Exhibit 1** (hereinafter “Local Law 11” or the “Law”).

13. Under the Law, “eligible municipal voters shall have the right to vote in municipal elections and shall be entitled to the same rights and privileges as U.S. citizen voters with regard to municipal elections.” **Exhibit 1** at 4, § 1057-bb.

14. Defendant Board is or will be enforcing Local Law 11 as part of its duties to administer elections in the City.

15. Local Law 11 violates the Fifteenth Amendment and Section 2 of the Voting Rights Act because it was adopted with impermissible racial intent. It was the explicit intent of the Law's sponsors to increase the voting strength of certain racial subgroups while simultaneously decreasing the voting strength of other racial subgroups. An election law enacted with any racial intent or purpose is unconstitutional under the Fifteenth Amendment and Section 2 of the Voting Rights Act. As the Supreme Court of the United States has stated, "There is no room under the Amendment for the concept that the right to vote in a particular election can be allocated based on race." *Rice v. Cayetano*, 528 U.S. 495, 523 (2000).

16. The Fifteenth Amendment provides, in pertinent part: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." U.S. Const. amend. XV, § 1.

17. The "Fifteenth Amendment's prohibition on race-based voting restrictions is both fundamental and absolute." *Davis v. Guam*, 932 F.3d 822, 832 (9th Cir. 2019) (citing *Shaw v. Reno*, 509 U.S. 630, 639 (1993)). Because "[t]here is no room under the Amendment for the concept that the right to vote in a particular election can be allocated based on race," the levels of scrutiny used to examine other constitutional restrictions are not relevant to election procedures enacted with a racial purpose. *Id.* (citing *Rice*, 528 U.S. at 523).

18. Election procedures that are facially neutral violate the Fifteenth Amendment if they are adopted with a racially discriminatory purpose. *See Reno v. Bossier Parish Sch. Bd.*, 520 U.S. 471, 481 (1997). "Racial discrimination need only be one purpose, and not even a primary purpose, of an official act" in order to violate the prohibitions on election procedures enacted with

a racially discriminatory intent. *Velasquez v. City of Abilene*, 725 F.2d. 1017, 1022 (5th Cir. 1984) (citing *Arlington Heights v. Metropolitan Development Housing Corp.*, 429 U.S. 252, 265 (1977)). The Supreme Court has held that “[d]iscriminatory intent is simply not amenable to calibration. It either is a factor that has influenced the legislative choice or it is not.” *Pers. Admin. of Mass. v. Feeney*, 442 U.S. 256, 277 (1979). Once racial intent is demonstrated, it is no defense to claim the same law would have been enacted regardless of the racially discriminatory motive. *See Askew v. City of Rome*, 127 F.3d 1355, 1373 (11th Cir. 1997). If race played any role at all in the enactment of an election procedure, that procedure violates the Fifteenth Amendment.

19. Proof of racial animus or hatred is not necessary to prove an unconstitutional racial intent in enacting an election procedure. Actions taken with the intent of effectuating a disproportionately negative impact on a racial group are violative of the intent standard of the Fifteenth Amendment. *See e.g. Garza v. County of Los Angeles*, 918 F.2d 763, 778 (9th Cir. 1990) (Kozinski, J., concurring and dissenting in part).

20. Plaintiffs may prove violations of both the Fifteenth Amendment and Section 2 of the Voting Rights Act either through direct evidence or indirect evidence of impermissible racial intent. Both direct and indirect evidence of racial intent infect the enactment of Local Law 11.

21. In *Arlington Heights*, the Supreme Court considered what indirect evidence should be considered in determining whether elected officials acted with an impermissible racial intent. Often referred to as “the *Arlington Heights* factors,” they include (1) whether the official action bears more heavily on one race than another; (2) the historical background of the decision; (3) the sequence of events leading up to the decision; (4) procedural or substantive departures from normal decision making; (5) statements, including the legislative history reflecting on the purpose of the decision. 429 U.S. at 266-68. The list of *Arlington Heights* factors to prove racial intent through

indirect evidence is not exhaustive and a court can consider other relevant factors. *See Overton vs. City of Austin*, 871 F.2d 529, 540 (5th Cir. 1989).

22. Finally, the Fifteenth Amendment is self-executing and does not need any state or federal statutory basis to enforce it. *See Guinn v. United States*, 238 U.S. 347, 367-68 (1915).

Direct Evidence of Impermissible Racial Intent:
Statements by Council Members Explicitly Discussing Racial Intent

23. Councilmember Ydanis Rodriguez, a primary sponsor of the Bill, consistently advocated for the Bill to the Council and supporters with an explicit racial purpose.

24. Throughout the September 20, 2021, New York City Council public hearing, Council Member Rodriguez spoke in favor of the Bill in racial terms. *See* Transcript of the Minutes of the Committee on Governmental Operations (Sept. 20, 2021), *available at* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4313327&GUID=DF600BDA-B675-41D8-A8BD-282C38DC4C62&Options=&Search=>, attached here as **Exhibit 2**. Many of his statements referred to the race of the foreign citizens who would be granted municipal voting rights.

25. In comparing them to those who had voting rights in the 1900s he stated: “[A]t a time where the city today look different than what it looked like in the 1900’s” and contrasted those circumstances with the racial composition of an electorate he preferred. **Exhibit 2** at 19.

26. He also stated:

[I]n the Bronx, in Brooklyn, mainly effect people effect people of color in many of those communities. Some people, they don’t have a voice to elect their Mayor. To elect the Public Advocate. To elect the Council Member. Yet because we as a city have decided that this city has changed the color of the skin of people coming to this city, then we change it who will be voting in this city.

Exhibit 2 at 108.

27. Furthermore, in concluding his initial statement of support for this law, Council Member Rodriguez switched to speaking in Spanish. *See* video of the hearing found online at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=890491&GUID=23147ADF-B417-43D2-B4E1-0F2BC2E98E5C&Search=>.

28. When advocating for the bill, Council Member Rodriguez could have confined his advocacy to citizenship status. He did not. Instead, he crossed the bright line drawn by the Fifteenth Amendment and framed his support along racial lines.

29. On December 9, 2021, in response to Council Member Peter Vallone's vote to reconsider the Bill before passage, Council Member and Bill sponsor Antonio Reynoso also crossed the bright line established by the Fifteenth Amendment and framed the debate about the bill along racial lines:

When white power or white men's power is being attacked, what they consider being attacked, they stand up and they fight. They fight to preserve their power and their influence.... we have to stop and think about this sea of mostly white men that have stood up against this bill at this moment in an effort to preserve their power and influence, and that is exactly what will happen every time you challenge power. The faces always look the same, and it just never fails, and I was hoping that today we could have seen something different. This bill will pass today. It will. Maybe make another effort another time when you reassume power, I guess, to try to undo what I think is the principle foundation of democracy which is the right to vote, specifically if you're paying taxes.

See Transcript of the Minutes of the Stated Meeting of the New York City Council (Dec. 9, 2021) at 70-71, *available at* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4313327&GUID=DF600BDA-B675-41D8-A8BD-282C38DC4C62&Options=&Search=>, attached here as **Exhibit 3**.

**Indirect Evidence of Racial Intent: Local Law 11 Bears More Heavily
On the Voting Power of Black Voters**

30. Approximately one million adult noncitizens live in New York City. Those advocating for the bill estimate the number of newly eligible foreign-citizen voters at approximately 900,000. *See About Intro 1867*, Our City, Our Vote, <https://ourcityyourvote.org> (last visited August 28, 2022).

31. According to data from the 2020 American Community Survey of the United States Census, there are approximately 1,300,000 foreign nationals residing in Bronx, Kings, New York and Queens Counties. Of that total, approximately 495,000 are Hispanic and 348,000 are Asian. American Community Survey, U.S. Census Bureau, *available at* <https://data.census.gov/cedsci/table?q=United%20States&t=Foreign%20Born&g=0500000US36005,36047,36061,36081&y=2020&tid=ACST5Y2020.S0501> (last visited August 28, 2022).

32. The sponsors, aware of this racial composition, enacted legislation that by their own words was explicitly designed to alter the racial composition of the New York City electorate.

33. Such racial purposes are prohibited by both the Fifteenth Amendment and Section 2 of the Voting Rights Act. Local Law 11 accomplishes precisely what advocates intended: shifting the electoral power in New York City municipal elections along racial lines to Hispanic and Asian voters and reducing the power of other racial groups, including those of Plaintiffs.

34. New York City has approximately five million active registered voters. The addition of approximately one million foreign-citizen voters could potentially make up almost 20 percent or more of the electorate in future New York City elections. This is greater than the margin of victory in many municipal elections.

35. The City has millions of registered voters, yet elections for local offices are decided by a limited few. Only 24 percent of eligible registrants turned out in the 2021 general municipal

elections. Nolan Hicks, *Less than 1/4 of NYC voters cast ballots in election that saw all seats up for grabs*, N.Y. Post (Nov. 3, 2021), <https://nypost.com/2021/11/03/less-than-1-4-of-nyc-voted-in-2021-election-despite-all-seats-up-for-grabs/>. Moreover, the 2021 Democrat mayoral primary was decided by fewer than 10,000 votes. Katie Glueck, *Eric Adams Wins Democratic Primary for New York City Mayor*, N.Y. Times (July 6, 2021, Updated Sept. 20, 2021), <https://www.nytimes.com/2021/07/06/nyregion/eric-adams-wins.html>.

36. The almost one million newly enfranchised foreign-citizen voters have the potential to massively alter municipal elections.

**Indirect Evidence of Racial Intent: Historical Background of the Decision
Includes Foreseeability of the Burden on a Racial Group**

37. At the Council meeting on December 9, 2021, prior to a vote on the Bill, specific concerns were raised by members of the Council about the negative impact on Black citizen voters through the increase in Hispanic foreign-citizen voters.

38. Requests were made by Council Member Laurie Cumbo to send the Bill back to committee for further study concerning the impact on Black voters continued ability to elect candidates, stating:

[T]his particular legislation is going to shift the power dynamics in New York City in a major way, and we do not have the numbers or the information to know how that is going to impact African-American communities who have been the most vulnerable in their existence in New York City

I've never heard in this one discussion about how is the African - American voter going to be impacted by this bill. This is going to be a great win for the ethnic groups that are going to be the highest number in the City of New York. And so, Ydanis, this is your legacy. This is yours, and this is going to be a huge win numerically for the Dominican Republic community, and I applaud you for that. We're all here to support our ethnic groups, and we're all here to make sure that we all win, but I need to know in supporting this, which I need more time, how are African-Americans going to be impacted, because that's the community I come from. *I'm clear how the Dominican Republic community will benefit, but not the African American community*, and it's only fair that I know that information.

Exhibit 3 at 75-78 (emphasis added).

39. Council Member Robert Cornegy, Jr., who is Black, also voiced similar concerns regarding the impact on Black voters stating:

I appreciate and respect everyone's immigrant story. However, my ancestors did not come here as immigrants. We came here as slaves and fought vehemently to be able to be a part of the fabric of America and literally die for the right to vote, blood, sweat, and tears, and are still engaged and embroiled in eroding voter rights acts for communities of color across the country. . .

I would be remiss if I didn't remind people that there's one more perspective that we haven't talked about, and that is a different kind of immigrant experience and a different kind of voter rights that we still are suffering throughout the country. We all have applauded the work of voter rights advocates in the south, black women's vote, and all those kinds of things, and that's not being heard or represented sometimes, and *it's not being heard or represented in this bill*. It may very well pass, but like I said, I would be remiss if I didn't offer that perspective of representing a people whose vote has monumentally been taken for granted and now has eroded to the place where even the Voter Rights Act that were put in place to protect our vote and our voices are being eroded.

Exhibit 3 at 72-73 (emphasis added).

40. Despite the foreseeability of this impact on the voting strength of Black voters and requests for further study to get it right, the Council ignored these pleas and passed the Bill.

41. The Council had the availability of a less discriminatory option, as requested by Council Member Cumbo, to send the Bill back to committee and assess its impact on the Black community's voting strength. Disregarding these concerns, the Council pushed ahead and passed the law. No investigation of the negative impact the Law would have on the voting strength of Black voters was conducted.

Indirect Evidence of Racial Intent: Significant Procedural Departure

42. Moreover, in enacting Local Law 11, the Council clearly deviated from the procedures enunciated in New York State Municipal Home Rule Law (the "MHRL").

43. Specifically, Section 23(2)(e) of the MHRL requires that a local law be subject to a “mandatory referendum if it . . . [a]bolishes an elective office, or changes the method of nominating, electing, or removing an elective officer . . .” N.Y. Mun. Home Rule Law § 23(a)(e).

44. Local Law 11 changes the method of electing city officials by changing who is eligible to vote in those elections. A referendum should have been held to determine if the citizen voters approved of allowing certain foreigners to vote in City elections.

45. Council Member Joe Borelli informed the Council members that Local Law 11 was an improper deviation from procedures to accomplish the goal of giving voting rights to foreign citizens, stating:

Section 23 of the Municipal Home Rule Law states that a referendum is *required*, not optional, for any Local Law that changes the nominating, electing, or removing an elected officer, and that’s what we’re doing. So at the very least, my point is, if you want to do this, there’s no problem with that as long as you do it the right way. This is not just an opinion of mine, Joe Borelli, the Minority Leader, the Republican leader. In 2013 an Administrative Attorney testified to this body that non-citizen voting is inconsistent with the State Constitution would require a citywide referendum. On 9/17 of this year Mayor de Blasio himself, a bonafide [sic] progressive known to you all, said, “Our Law Department is very clear. It’s not legal for this to be decided at the city level. I really believe this has to be decided at the state level.” . . . Two weeks ago, on New York One, the same Democratic Mayor said the same thing. And finally on September 20th of this year, our Chief Democracy Officer, the person who we presume, his only job is to make sure every legal voter in this city has the opportunity to vote, said that the law could violate the State Constitution. So I urge you all to vote yes on this motion. Send this back to committee. Let’s talk about these legal issues. If that happens to not [be] the case, then I urge you all to vote no on the bill.

Exhibit 3 at 56-57 (emphasis added).

46. Moreover, the Council apparently received explicit legal advice from the City Law Department that Local Law 11 was contrary to the New York State Constitution and the MHRL. The receipt of this legal advice, and the brash refusal to follow it, evidences the Council’s total disregard for procedure. Simply put, in its zeal to pass this Bill, the Council ignored the New York

State Constitution and the MHRL and decided to expand the electorate to a large class of foreign-citizen voters without the authority to do so.

**Indirect Evidence: Historic Background of New York City's
Long History of Voting Discrimination**

47. New York City has a history of racial discrimination in voting.

48. In *United Parents Associations v. Board of Elections*, a Court determined that two successive legislative enactments regarding NYC's election procedures would result in a racially discriminatory effect on minority voters. As a result, the Defendant, the Board, was prevented from implementing the election procedures. *See United Parents Associations v. Board of Elections*, No. 89 Civ. 0612 (E.D.N.Y. May 6, 1993) (as cited in *Voting Rights in New York City: 1982-2006*, 17 S. CAL. REV. L. & SOCIAL JUSTICE 501, 527, n. 192.)

49. Furthermore, Bronx County, Kings County, and New York County were covered by the Voting Rights Act Section 5 preclearance requirements due to historically low minority registration rates and the enforcement of a literacy test or device. *See Ravitch v. New York*, 1992 U.S. Dist. LEXIS 11481, *2 (S.D.N.Y. Aug. 3, 1992).

50. To obtain preclearance under Section 5, covered jurisdictions were required to demonstrate that voting changes “neither ha[d] the purpose nor w[ould] have the effect of denying or abridging the right to vote on account of race[,] color,” 52 U.S.C. § 10304(a), or “member[ship] [in] a language minority group,” 52 U.S.C. § 10303(f)(2). The Department of Justice has objected and denied preclearance to proposed election procedures by New York City *nine times*. *See Voting Determination Letters*, found online at <https://www.justice.gov/crt/voting-determination-letters-new-york> (last visited Aug. 28, 2022).

51. Among the procedures which failed to obtain preclearance under the Voting Rights Act were New York City Council's redistricting plans (Submission No. V6107), and New York City's replacement of an elected school board with appointed trustees (Submission 96-3759). *Id.*

52. Furthermore, there has been litigation under the National Voter Registration Act of 1993 against the State of New York for failure to establish agency-based voter registration in government agencies that serve low-income populations and by extension racial and language minorities in 1996 and 2004. As recently as 2017, the Department of Justice sued the State of New York for failing to provide voter registration opportunities at the Department of Motor Vehicles. *See United States and the State of New York*, Memorandum of Understanding (June 20, 2017), available at <https://www.justice.gov/crt/case-document/memorandum-understanding> (last visited Aug. 28, 2022). These cases were brought statewide for failure to provide registrations throughout the State of New York, including the agencies located in the City.

53. Moreover, courts have catalogued the City's longstanding failures to comply with the Voting Rights Act. *See e.g., Ravitch*, 1992 U.S. Dist. LEXIS 11481 (S.D.N.Y. Aug. 3, 1992).

**Indirect Evidence: Black Voters Bear the Burden:
Voting in New York City is Racially Polarized**

54. Elections in New York City are racially polarized. The addition of nearly a million foreign-citizen voters coupled with the existence of racially polarized voting will have a negative impact on the voting strength of Black voters to a significant degree.

55. The Department of Justice has justified, in part, previous objections to preclearance under Section 5 in New York City on the basis of this racially polarized voting. In reviewing a Congressional redistricting plan in 1992, preclearance was denied in part due to racially polarized voting in upper Manhattan. In denying preclearance, the Department of Justice noted that the City exhibited clear patterns of racially polarized voting with discriminatory effects on minority voting.

See Letter from James P. Turner to Dean G. Skelos and David F. Gantt (June 24, 1992), *available at* <https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/NY-1070.pdf> (last visited Aug. 28, 2022).

56. Federal courts have found elections in New York City to be racially polarized. *See Diaz v. Silver*, 978 F. Supp. 96 (E.D.N.Y. 1997), *aff'd sub nom. Silver v. Diaz*, 522 U.S. 801 (1997).

57. The existence of racially polarized voting coupled with the impact of adding almost a million foreign-citizen voters, the majority of whom are Hispanic and Asian, will significantly impact the voting strength of Plaintiffs, Black United States citizen voters.

58. Moreover, this polarization is exhibited in the lack of cohesion between Black and Hispanic voters and has been the subject of many discussions within political spheres. In 2020 in New York City, for example, President Trump doubled his support in precincts where Dominican nationals accounted for a majority of the population and more than doubled his support in Hispanic-heavy precincts. *See* John Binder, *Analysis: Support for Trump's Working-Class Agenda Surges Among Immigrants*, Breitbart (Dec. 28, 2020), <https://www.breitbart.com/politics/2020/12/28/analysis-support-for-trumps-working-class-agenda-surges-among-immigrants/>.

59. New York City's Hispanic voters support for Republican candidates in 2020 caused concern for Council Member Cumbo. While speaking to her fellow Council Members in opposition to the Bill she stated, "As I read in Dem Conference about during the presidential election how many of our Latino brothers and sisters voted Republican for President Trump. That concerns me of activating this particular bill because of that reason." **Exhibit 3** at 131. But her fellow Council Members disregarded her concerns.

CLAIMS FOR RELIEF

52 U.S.C. § 10301 and 42 U.S.C. § 1983 Discriminatory Purpose in Violation of the 15th Amendment to the United States Constitution and Section 2 of the Voting Rights Act

60. Plaintiffs re-allege and incorporate by reference the allegations set forth in all prior paragraphs of this Complaint.

61. Title 42, U.S.C. § 1983 authorizes suits for the deprivation of a right secured by the United States Constitution or the laws of the United States caused by a person acting under the color of law.

62. Section I of the Fifteenth Amendment to the United States Constitution provides that:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

63. The Fifteenth Amendment prohibits intentional racial discrimination by state actors.

64. Section 2 of the Voting Rights Act of 1965 prohibits the enforcement of any voting qualification or prerequisite to voting or any standard, practice, or procedure that has either the purpose or the result of denying or abridging the right to vote on account of race, color, or membership in a language minority group.

65. A violation of Section 2 of the Voting Rights Act may be based upon a finding of a discriminatory purpose alone.

66. Discriminatory purpose can be established by proof that race was a motivating factor in the decision to legislate Local Law 11. *See Arlington Heights*, 429 U.S. at 265-66. Direct evidence demonstrates that Local Law 11 was enacted with an impermissible racial intent.

67. By their own words, Council Members voiced their deliberate intent to use Local Law 11 to change the racial make-up of New York City's electorate.

68. The Council was aware of the discriminatory impact that Local Law 11 would have on the voting strength of Black voters as Council Member Cumbo requested that the vote be delayed until the effects on Black voters could be adequately addressed.

69. Furthermore, with knowledge that the Council was without legal authority to grant foreign citizens the right to vote, the Council disregarded procedural norms, the New York State Constitution, and the MHRL, and brazenly passed the Bill.

70. New York City has a long history of official discrimination in voting against minority citizens. This official discrimination has been recognized by the Department of Justice and by courts.

71. The Attorney General of the United States subjected the City to the preclearance provisions of Section 5 of the Voting Rights Act due to historically low registration rates of minority voters and or existence of a test or device that restricts the opportunity to register to vote.

72. Federal courts have found elections in New York City to be racially polarized. *See Diaz v. Silver*, 978 F. Supp. 96 (E.D.N.Y. Feb. 26, 1997), *aff'd sub nom. Silver v. Diaz*, 522 U.S. 801 (1997). The existence of racially polarized voting along with the impact of adding almost a million foreign-citizen voters will result in abridgement of Black voting strength in New York City.

73. All of the relevant indicia demonstrate that an impermissible racial purpose was a motivating factor in the passage of Local Law 11. Indeed, the lead sponsor made it plain, "Yet because we as a city have decided that this city has changed the color of the skin of people coming to this city, then we change it who will be voting in this city." **Exhibit 2** at 108.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully pray for entry of a judgment:

1. Declaring that Local Law 11 violates the prohibitions on discriminatory purpose contained in the Fifteenth Amendment to the United States Constitution and Section 2 of the Voting Rights Act;
2. Declaring that Local Law 11 was adopted with an impermissible racial intent in violation of the guarantee of the Fifteenth Amendment to the United States Constitution and Section 2 of the Voting Rights Act;
3. Enjoining Defendants, their agents, officers, employees, and successors from registering noncitizens to vote and prohibiting Defendants from counting votes cast by foreign citizens;
4. Awarding Plaintiffs compensatory and nominal damages pursuant to 28 U.S.C. § 1343 or any other applicable law for deprivation under color of law of their rights secured by the Constitution of the United States and an Act of Congress, and granting such further relief the Court deems just and proper, including all other injunctive relief available to the Court;
5. Ordering the Defendants to pay Plaintiffs' reasonable attorney's fees, expert fees, including litigation expenses and costs, pursuant to 52 U.S.C § 10310(e), 42 U.S.C. § 1988, and any other applicable law;
6. Granting Plaintiffs such further relief the Court deems just and proper including all other injunctive relief available to the Court.

Dated: August 29, 2022

Respectfully submitted,



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*Application for admission forthcoming

**Application for admission *pro hac vice*
forthcoming

Exhibit 1

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2022**

No. 11

Introduced by Council Members Rodriguez, Menchaca, Dromm, Cabrera, Chin, Kallos, Miller, Van Bramer, Levin, Reynoso, Rivera, Ayala, Lander, Cornegy, Adams, Ampy-Samuel, Levine, Louis, Powers, Rosenthal, Cumbo, Eugene, the Public Advocate (Mr. Williams), Perkins, Koo, Salamanca, Riley, Barron, Dinowitz, Gibson, Brooks-Powers, Feliz, Moya, D. Diaz, Brannan and Cabán.

A LOCAL LAW

To amend the New York city charter, in relation to allowing lawful permanent residents and persons authorized to work in the United States in New York city to participate in municipal elections

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new chapter forty-six-a, to read as follows:

*Chapter 46-A. VOTING BY LAWFUL PERMANENT RESIDENTS AND PERSONS
AUTHORIZED TO WORK IN THE UNITED STATES*

§ 1057-aa Definitions and applicability of the election law.

§ 1057-bb Municipal voter qualifications and registration.

§ 1057-cc The role of the board of elections in the city of New York.

§ 1057-dd Poll administration.

§ 1057-ee Municipal voter registration application forms.

§ 1057-ff Party affiliations.

§ 1057-gg Availability and accessibility of municipal voter registration application forms.

§ 1057-hh Absentee ballot procedures.

§ 1057-ii Registration and enrollment deadlines.

§ 1057-jj Municipal voter notification.

§ 1057-kk Notification of ability to cancel registration.

§ 1057-ll Notification for individuals applying for citizenship.

§ 1057-mm Change of address procedures.

§ 1057-nn Confidentiality.

§ 1057-oo Community participation.

§ 1057-pp Transitioning to citizenship.

§ 1057-qq Challenges.

§ 1057-rr State and federal elections.

§ 1057-ss Violations.

§ 1057-tt Advisory group.

§ 1057-uu Petitioning.

§ 1057-vv Registration confirmation letters.

§ 1057-aa Definitions and applicability of the election law.

a. For purposes of this chapter, the following terms have the following meanings:

Municipal election. The term "municipal election" means any general, primary, or run-off election for a municipal office, any special election for a municipal office including but not limited to any election in which all candidates are nominated by independent nominating petition pursuant to the charter, and any municipal referendum.

Municipal office. The term “municipal office” means the offices of mayor, public advocate, comptroller, borough president, and council member.

Municipal referendum. The term “municipal referendum” means an election for the approval of a local law, as defined in section 2 of the municipal home rule law, submitted to the voters of the city of New York.

Municipal voter. The term "municipal voter" means a person who is not a United States citizen on the date of the election on which he or she is voting, who is either a lawful permanent resident or authorized to work in the United States, who is a resident of New York city and will have been such a resident for 30 consecutive days or longer by the date of such election, who meets all qualifications for registering or pre-registering to vote under the election law, except for possessing United States citizenship, and who has registered or pre-registered to vote with the board of elections in the city of New York under this chapter.

Municipal voter registration. The term "municipal voter registration" means the method by which the board of elections in the city of New York registers or pre-registers new municipal voters pursuant to the provisions of this chapter.

Municipal voting. The term "municipal voting" means the processes required under this chapter that facilitate municipal voter registration and voting by municipal voters in municipal elections.

New York state board of elections voter registration application. The term "New York state board of elections voter registration application" means the application used by the New York state board of elections to register or pre-register voters under title two of article five of the New York state election law.

Resident of New York city. The term "resident of New York city" means a person who resides within the city of New York.

U.S. citizen voter. The term "U.S. citizen voter" means a person who meets all qualifications for registering or pre-registering to vote under the election law including possessing United States citizenship.

b. Municipal voting, as set forth in this chapter, shall be governed by applicable provisions of the election law, except that the provisions of the election law set forth in this chapter, as amended from time to time, and any successor provisions, shall apply as modified herein. References to the sections modified in this chapter shall be deemed to refer to such sections as they are so modified when and to the extent that they apply to municipal voting. References to provisions of the election law in this chapter shall be deemed to refer to any successor provisions. Provisions of the election law not specified in this chapter shall apply to municipal voting, provided however that such provisions shall not be construed to prevent or impede the application of this chapter.

§1057-bb Municipal voter qualifications and registration.

a. Consistent with the provisions of this chapter, eligible municipal voters shall have the right to vote in municipal elections and shall be entitled to the same rights and privileges as U.S. citizen voters with regard to municipal elections. All registered municipal voters shall have their names entered in the registration records maintained by the board of elections in the city of New York under article 5 of the election law for the purposes of registering and voting in municipal elections and may thereafter vote in any such election. Registrations for municipal voters entered in such records shall not contain United States citizenship data as required under 5-500 of the election law and shall be designated with an "M". Municipal voter registration records shall be filed with

the state board of elections with such designation, to be included in any appropriate list or database in accordance with law.

b. Section 5-102 of the election law shall apply to municipal elections, except that the qualification of United States citizenship shall not apply to municipal voters registering to vote in municipal elections and the municipal voting processes implemented pursuant to this chapter.

c. References to voter qualification or voter eligibility in the election law shall be construed to include municipal voter qualifications with respect to the municipal voting processes implemented pursuant to this chapter.

§1057-cc The role of the board of elections in the city of New York. The board of elections in the city of New York shall adopt all necessary rules and carry out all necessary staff training to carry out the provisions of this chapter.

§1057-dd Poll administration.

a. For each municipal election, the board of elections in the city of New York shall produce a poll ledger or computer generated registration list that combines municipal voters and other U.S. citizen voters for each election district or poll site. Municipal voters shall not be required to form a separate line or vote in a separate location from U.S. citizen voters. The poll ledger or computer generated registration list entries for municipal voters shall be marked with an "M".

b. Whenever a municipal election occurs on the same date and in the same district as an election in which a municipal voter is not eligible to vote, the board of elections in the city of New York shall produce separate municipal ballots to be distributed only to municipal voters appearing to vote on such date and in such district. Such municipal ballots shall be, as nearly as practicable, in the same form as those to be voted in the district by U.S. citizen voters during early voting or on

election day as provided in title 1 of article 7 of the election law, except that such ballots shall be limited to municipal elections. Such municipal ballot shall contain the words “Municipal Ballot”, endorsed thereon and any other markings or unique coloration the board of elections in the city of New York deems appropriate.

§1057-ee Municipal voter registration application form.

a. The board of elections in the city of New York shall design and distribute a municipal voter registration application form that will allow municipal voters to apply for registration, pre-registration, and change of enrollment in the manner that U.S. citizen voters may so apply to such board. Such form shall include, but need not be limited to, the following:

1. Notice that individuals registering or pre-registering using municipal voter forms will be registered or pre-registered to vote in municipal elections only, and expressly stating that municipal voters are not qualified to vote in state or federal elections.

2. Information on the qualifications to vote at the state and federal levels according to the election law, and information on how individuals who meet such qualifications can register or pre-register.

3. Notice that individuals who have been residents of New York city for less than 30 consecutive days by the time of the next election do not qualify to register to vote as municipal voters.

4. Notice that registration and enrollment is not complete until the municipal voter registration application form is received and accepted by the board of elections in the city of New York.

5. Notice that it is a crime, along with the attendant penalties and possible immigration consequences, to procure a false registration or to furnish false information to the board of elections.

6. The following notice in conspicuous type that contrasts in typography, layout or color with all other words on such form: “IMPORTANT NOTICE FOR NON-UNITED STATES CITIZENS. Any information you provide to the Board of Elections, including your name and address, may be obtained by Immigration and Customs Enforcement (ICE) and other agencies, organizations, and individuals. In addition, if you apply for naturalization, you will be asked whether you have ever registered or voted in a federal, state, or local election in the United States. You may wish to consult with an immigration attorney, an organization that protects immigrant rights, or other knowledgeable source before providing any personal information to the Board of Elections and before registering to vote in New York City. You can find a list of nonprofit organizations that specialize in protecting the rights of immigrants on the website of the New York City Campaign Finance Board. Individuals in New York City applying for United States citizenship through naturalization may request notice of their eligibility to register and to vote in New York City.”

7. The following spaces to be filled in by the applicant:

(a). Space to indicate whether the applicant is a lawful permanent resident or is authorized to work in the United states and the statement “If you checked “no” in response to this question, do not complete this form.”

(b). Space for the applicant to indicate whether or not he or she has ever voted or registered to vote as a municipal voter before and, if so, the approximate year in which such applicant last voted or registered as such and his or her name and address at the time.

(c). Space for the applicant to execute the form on a line which is clearly labeled "signature of applicant" preceded by the following form of affirmation: "AFFIDAVIT: I swear or affirm that I am a resident of New York City and will have been a resident of New York City for a minimum of 30 consecutive days by the time of the next election, am either a lawful permanent resident or authorized to work in the United States and will only vote at an election at which I maintain such status, and, to the best of my knowledge, I meet all of the requirements to register to vote in New York State except for United States citizenship. This is my signature or mark on the line below. All the information contained on this application is true. I understand that if it is not true I can be convicted and fined up to \$5,000 and/or jailed for up to four years."

b. Such form shall contain all information required to be included on the statewide application form for U.S. citizen voters under subdivision 5 of section 5-210 of the election law, except as modified in this section. Such form shall not contain the notice concerning citizenship required pursuant to paragraph (g) of such subdivision or the information required to be included under subparagraphs (i), (vi) and (xii) of paragraph (k) of such subdivision.

c. Titles eight and nine of article five of the election law shall not apply to municipal voter registration.

§1057-ff Party affiliations.

a. Individuals who enroll in a political party using a municipal voter registration form shall be considered qualified members of that party only for the purposes of municipal elections.

b. References to political party member qualifications in the election law shall be construed to include municipal voter qualifications with respect to voting in municipal elections as set forth in this chapter.

§1057-gg Availability and accessibility of municipal voter registration application forms.

a. The board of elections in the city of New York and the campaign finance board shall coordinate efforts to ensure that municipal voter registration application forms are available at every location where New York state board of elections voter registration application forms are made available pursuant to programs of city agencies, including but not limited to programs implemented pursuant to section 5-211 of the election law and section 1057-a of the charter.

b. The board of elections in the city of New York shall translate the municipal voter registration application form into languages served by such board pursuant to state and federal law in a manner that is consistent with translations of the statewide application form.

§1057-hh Absentee ballot procedures.

a. The board of elections in the city of New York shall prescribe a standard municipal voter absentee ballot application form that will allow a registered municipal voter to cast an absentee ballot for municipal elections. The use of any application form which substantially complies with the provisions of this section shall be acceptable and any application filed on such a form shall be accepted for filing. Such application form shall contain all information required to be included on the absentee ballot application form for U.S. citizen voters under section 8-400 of the election law, except as modified herein. Such form shall contain the following modifications to section 8-400 of the election law with respect to municipal voting:

1. Paragraph (b) of subdivision 3 of such section shall apply to municipal voting, except that the statement required in such paragraph shall be deemed to be a statement that the applicant is a qualified and registered municipal voter.

2. Paragraph (d) of subdivision 3 of such section shall apply to municipal voting, except that the application requirements in such paragraph shall be deemed to only permit application for an absentee ballot for municipal elections.

3. Subdivision 4 of such section shall apply to municipal voting, except that the application requirements in such paragraph shall be deemed to only permit application for an absentee ballot for municipal elections.

b. Upon receipt of a municipal voter absentee ballot application form, the board of elections shall forthwith determine upon such inquiry as it deems proper whether the applicant is qualified to vote and receive an absentee ballot under the election law as modified by this chapter, and if it finds the applicant is not so qualified it shall reject the application after investigation as provided in section 8-402 of the election law as further modified by this chapter.

c. The board of elections in the city of New York shall translate the municipal voter absentee ballot application form into languages served by such board pursuant to state and federal law in a manner that is consistent with translations of municipal voter registration application form.

d. Whenever a municipal election occurs on the same date and in the same district as an election in which a municipal voter is not eligible to vote, the board of elections in the city of New York shall produce separate municipal absentee ballots containing only municipal elections to be distributed only to municipal absentee voters on such date and in such district. Such municipal absentee ballots shall be, as nearly as practicable, in the same form as the municipal ballot to be voted in the district during early voting and election day as required by section 1057-dd, except that such municipal absentee ballot need not have a stub, and shall have the words “Municipal Absentee Ballot”, endorsed thereon.

e. Section 7-122 of the election law shall apply to absentee ballots and municipal absentee ballots mailed to municipal voters, except that the affirmation of United States citizenship in subdivision six of such section shall not apply to an inner affirmation envelope included with an absentee ballot or municipal absentee ballot distributed to a municipal voter and shall be replaced with an affirmation stating that the undersigned is qualified to vote under this chapter.

f. The board of elections in the city of New York may prescribe a separate absentee ballot for military voters who are municipal voters consistent with section 7-123 of the election law, but omitting the otherwise required affirmation of United States citizenship and replacing it with an affirmation that the military voter meets the qualifications of a municipal voter under this chapter.

§1057-ii Registration and enrollment.

a. Registration and enrollment deadlines for municipal voters in each municipal election shall be the same as the deadlines in the election law for U.S. citizen voters in such elections.

b. Section 5-214 of the election law shall apply to registered municipal voters, except that with respect to municipal voters, the registration card under such section shall be marked with an “M” and contain a statement that it is for municipal voting only.

§1057-jj Municipal voter notification. The board of elections in the city of New York shall create and implement a notification system for municipal voters that is consistent with the requirements of section 5-210 of the election law and section 1057-d of the charter with respect to U.S. citizen voters.

§1057-kk Notification of ability to cancel registration. The board of elections in the city of New York shall, simultaneously with providing written confirmation of registration to vote as part of the notification system created and implemented under section 1057-jj, provide written notice of

municipal voter qualifications and a form with the name and address of the registrant which may be returned to the board by the registrant to cancel the registration.

§1057-ll Notification for individuals applying for citizenship. Any city agency that has entered into a contract with an organization that includes, as part of such contract, provision of assistance to individuals in New York city regarding applying for United States citizenship through naturalization, shall request any such organization to provide notice to such individuals of their eligibility register and to vote in New York city pursuant to this chapter.

§1057-mm Change of address procedures. The board of elections in the city of New York shall, consistent with section 5-208 of the election law as modified by this section, transfer the registration and enrollment of a municipal voter for whom it receives a notice of change of address to another address in New York city, or for any municipal voter who submits a municipal ballot in an affidavit ballot envelope which sets forth such a new address.

§1057-nn Confidentiality.

a. No inquiry shall be made as to the immigration status of a potential municipal voter or municipal voter, other than to verify the identity of the municipal voter and ascertain whether he or she is qualified to vote under the election law as modified by this chapter. If such information is volunteered to any city employee, it shall not be recorded or shared with any other federal, state, or local agency, or with the public, except as otherwise required by law.

b. All federal, state, and local confidentiality laws and policies that pertain to U.S. citizen voters shall also apply to municipal voters.

c. No municipal voter shall be asked to produce photographic identification or proof of address as a prerequisite for voter registration, except as otherwise required by this chapter or state or federal law.

d. Lists of municipal voters shall not be published, distributed or otherwise provided to the public by the board of elections in the city of New York or any other governmental agency separately or distinctly from a complete voter registration list of voters qualified to vote in a municipal election in New York city or a political subdivision thereof.

§1057-oo Community participation.

a. The board of elections in the city of New York and the campaign finance board shall consult regularly with appropriate organizations, including advocacy groups and community associations, in the implementation of this chapter. Such boards shall work with such organizations to carry out community education programs regarding requirements for eligibility to vote pursuant to this chapter, including such eligibility of individuals who have applied for United States citizenship.

b. The campaign finance board shall maintain on its website a list of nonprofit organizations that specialize in protecting the rights of immigrants and are able to provide potential municipal voters with information about the immigration and other consequences of registering to vote as a municipal voter under this chapter.

§1057-pp Transitioning to citizenship. Municipal voters who are registered to vote under this chapter and who subsequently become United States citizens shall remain qualified to vote under this provision until such time as they no longer meet the qualifications set forth in this chapter or until they register to vote on a New York state board of elections voter registration form. Upon

filing of an individual's New York state voter registration form, such individual's existing municipal voter registration shall become invalid.

§1057-qq Challenges. Any municipal voter's qualifications to register to vote under this chapter may be challenged according to the terms of the election law, except that "The Qualification Oath" in section 8-504 of the election law shall not be administered to municipal voters, and shall be replaced with the following "Municipal Voter Qualification Oath" to read: "You do swear (or affirm) that you are eighteen years of age or older, that you are a lawful permanent resident or authorized to work in the United States, that you are a resident of New York city, that you still reside at the same address from which you have been duly registered in this election district, that you have not voted at this election, and that you do not know of any reason why you are not qualified to vote at this election. You do further declare that you are aware that it is a crime to make any false statement and that all the statements you have made to the board have been true and that you understand that a false statement is perjury and, if you make such a false statement, you will be guilty of a misdemeanor."

§1057-rr State and federal elections. Nothing in this chapter shall be construed so as to confer upon municipal voters the right to vote for any state or federal office or political party position or on any state or federal ballot question.

§1057-ss Violations.

a. Any person who knowingly and willfully violates any provision of this section of the charter which violation is not specifically covered by section 17-168 or any other provision of article seventeen of the election law is guilty of a misdemeanor.

b. A public officer or employee who knowingly and willfully omits, refuses or neglects to perform any act required of such public officer or employee by this chapter, who knowingly and willfully refuses to permit the doing of any act authorized by this chapter, or who knowingly and willfully hinders, or delays or attempts to hinder or delay the performance of such an act is, if not otherwise subject to section 17-128 of the election law or any other law, guilty of a misdemeanor.

c. Any person convicted of a misdemeanor under this section shall be punished by imprisonment for not more than one year, or by a fine of not less than one hundred dollars nor more than five hundred dollars, or by both such fine and imprisonment.

§1057-tt Advisory group.

a. There shall be an advisory group to provide recommendations regarding any problems or potential improvements with respect to municipal voting.

b. The advisory group shall consist of five members appointed for a term of two years as follows:

- 1. The public advocate, who shall be the chairperson of the advisory group;*
- 2. Two members appointed by the mayor, chosen from among individuals representing community based organizations; and*
- 3. Two members appointed by the speaker of the council, chosen from among individuals representing community based organizations.*

c. Membership in the advisory group shall not constitute the holding of a public office, and members of the advisory group shall not be required to take or file oaths of office before serving on the advisory group. No person shall receive compensation for service on the advisory group,

except that each member shall be allowed actual and necessary expenses to be audited in the same manner as other city charges.

d. Members of the advisory group shall be appointed within 60 days after the effective date of this local law. No member shall be removed except for cause by the appointing authority. In the event of a vacancy during the term of an appointed member, a successor shall be selected in the same manner as the original appointment.

e. The mayor may designate one or more agencies to provide staffing and other administrative support to the advisory group.

f. The advisory group shall be required to meet no less than semiannually and shall create a dedicated website to enable ongoing solicitation of public feedback.

g. No later than December 1, 2023, and annually thereafter, the advisory group shall prepare a report of its findings and recommendations with respect to the voting process carried out under this chapter and submit such report to the mayor and speaker of the council.

§ 1057-uu. Petitioning. Municipal voters shall be deemed qualified or registered voters, and enrolled voters where they have chosen to enroll in a political party, for purposes of signing and witnessing petitions in relation to designation and nomination for municipal offices and in relation to municipal referenda but shall not be otherwise be so deemed pursuant to applicable provisions of the election law or any other law.

§ 1057-vv Registration confirmation letters. The board of elections in the city of New York shall, upon request, provide any pre-registered municipal voter, registered municipal voter or formerly-registered municipal voter with a letter confirming the dates during which such

individual was registered or pre-registered as a municipal voter, and explaining the rights and privileges afforded to municipal voters pursuant to this chapter.

§ 2. No later than July 1, 2022, the board of elections in the city of New York shall submit to the mayor and speaker of the council a report containing a plan for achieving timely implementation of this local law for applicable elections held on or after January 9, 2023. Failure by such board to submit such a report within 30 days of July 1, 2022 shall create a rebuttable presumption that such board is declining to implement this local law.

§ 3. Section one of this local law takes effect on December 9, 2022 and shall apply to municipal elections held on or after January 9, 2023, provided that before such date, the board of elections in the city of New York and any other governmental agency may take such actions as are necessary or appropriate to implement this local law. Section two of this local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on December 9, 2021 and returned unsigned by the Mayor on January 10, 2022.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 11 of 2022, Council Int. No. 1867-A of 2020) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.

Exhibit 2

COMMITTEE ON GOVERNMENTAL OPERATIONS

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

----- X

September 20, 2021

Start: 10:30 a.m.

Recess: 3:26 p.m.

HELD AT: REMOTE HEARING - VIRTUAL ROOM 2

B E F O R E: Stephen T. Levin,
Serving as Chairperson

COUNCIL MEMBERS:

Darma V. Diaz
Ben Kallos
Alan N. Maisel
Bill Perkins
Keith Powers
Ydanis A. Rodriguez
Kalman Yeger
Rafael Salamanca
Carlos Menchaca
Public Advocate Williams

COMMITTEE ON GOVERNMENTAL OPERATIONS

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A P P E A R A N C E S

Melissa John

Citizen of Trinidad and Tobago by birth

Murad Awawdeh

Executive Director of the New York Immigration
Coalition

Fulvia Vargas-De Leon

Associate Counsel with LatinoJustice PRLDEF

Carole Wacey

President and CEO of Women Creating Change

Crystal Walthall

Executive Director of Faith in New York

Nora Moran

Director of Policy and Advocacy at United
Neighborhood Houses

Mia McDonald

Political Manager at the New York Working
Families Party

Catalina Cruz

Assembly Member representing Corona, Jackson
Heights and Elmhurst

Michael Ryan

Executive Director for Board of Elections

Dawn Sandow

Deputy Executive Director for Board of Elections

Laura Wood

Chief Democracy Officer of the Mayor's
DemocracyNYC Initiative

Raquel Batista

Commissioner of Mayor's Office of Immigration
Affairs

Paul Ochoa

Director of the Mayor's Office of City
Legislative Affairs

COMMITTEE ON GOVERNMENTAL OPERATIONS

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A P P E A R A N C E S (CONT.)

Eric Friedman
Assistant Executive Director for Public Affairs

Amanda Melillo
Deputy Director of Public Affairs

Felicia Singh
Democratic Nominee for the 32nd City Council
District

Molly Sellner Harris
Co-Chair of the Committee on Media & Advocacy
Committee for the New York Chapter of AILA

Rodrigo Camarena
Director of the Immigration Advocates Network or
IAN

Olivia Adechi
Paralegal Case Handler with the Immigration Law
Unit at the Legal Aid Society

Monica Bartley
Community Organizer at the Center for
Independence of the Disabled New York

Shruti Banerjee
Senior Policy Analyst at Demos

Maria Lizardo
Executive Director of a Settlement House called
NMIC

Judy Lei
Voting Rights Organizer at the Asian American
Legal Defense and Education Fund's Democracy Team

Caroline Scown
Adult Literacy Instructor at the Chinese-American
Planning Council

Win-Sie Tow
Civic Engagement Organizer for the Chinese
Progressive Association

COMMITTEE ON GOVERNMENTAL OPERATIONS

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A P P E A R A N C E S (CONT.)

Farah Salam
Priority Areas Specialist for the Arab-American
Family Support Center

Sara El Sebai
Arab American Association of New York's
Immigration team in Bay Ridge, Brooklyn

Gbenga Awonusi
DSI International

Yesenia Mata
Executive Director of La Colmena

Celine Yip
Nonprofit New York

MJ Okma
Human Services Council

Eva Santos Veloz
Dominican DACA recipient

Adeel Ahmed
Community Organizer for the Black Institute

Lea Giddins
Senior Program and Policy Manager at Women
Creating Change

Mama Sama
Civic Education Program Coordinator for the
Muslim Community Network, MCN

Towaki Komatsu

Nicole Rojas
Community Organizer at Mixteca Organization

Leticia Reyes
Mother of six children

Steven Espinoza
Support of the Undercounted Voters

COMMITTEE ON GOVERNMENTAL OPERATIONS

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A P P E A R A N C E S (CONT.)

Shola Oyelohunnu
Member of African Communities Together, ACT

Enan Nasim
DACA Recipient

1 COMMITTEE ON GOVERNMENTAL OPERATIONS

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2 SERGEANT KOTOWSKI: Computer recording started.

3 SERGEANT PEREZ: Back up is rolling.

4 SERGEANT LUGO: Cloud is good. Sergeant Biondo
5 with your opening statement please.

6 SERGEANT BIONDO: Sure. Good morning and welcome
7 to today's Remote New York City Council Hearing for
8 the Committee on Governmental Operations. At this
9 time, would all panelists please turn on their video
10 for verification purposes. And to minimize
11 disruptions, please place all electronic devices to
12 vibrate or silent mode. If you'd like to submit
13 testimony, please send via email to
14 testimony@council.nyc.gov. Again, that is
15 testimony@council.nyc.gov.

16 Thank you for your cooperation. Chair Levin, we
17 are ready to begin.

18 CHAIRPERSON LEVIN: Thank you very much Sergeant.
19 Good morning everybody. I am going to gavel in here.
20 [GAVEL]. Okay, good morning everybody. I am Council
21 Member Stephen Levin, I am serving as Chair of the
22 Committee on Governmental Affairs for this hearing,
23 pinch hitting for my friend and colleague Council
24 Member Cabrera.

25

COMMITTEE ON GOVERNMENTAL OPERATIONS

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I want to start off by welcoming everybody and thanking the members of the Committee for joining us today. We're joined by Council Members Maisel, Council Member Yeger, Council Member Kallos, I believe Council Member Powers, Council Member Salamanca, the Public Advocate Jumaane Williams and the Bill Sponsor, Council Member Ydanis Rodriguez, Council Member Carlos Menchaca and Council Member Darma Diaz and I think that's it for now. We expect other Council Members to join us throughout the course of the hearing as well.

Today, the Committee will be hearing two bills. The first is Introduction 1867, which is sponsored by Council Member Ydanis Rodriguez in relation to allowing lawful permanent residents in New York City to vote in municipal elections.

New York City is a city of immigrants. Immigrants make up close to 40 percent of New York City's population and an even larger share of its workforce. Immigrants are a vital part of the city's economic, cultural and civil landscape. This bill would allow certain immigrants who are not yet U.S. citizens to vote in municipal elections. The bill would create a new class of voters, all municipal

COMMITTEE ON GOVERNMENTAL OPERATIONS

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2 voters. A municipal voter would be any individual
3 who is, A. Not a U.S. citizen. B. Either a lawful
4 permanent resident or otherwise authorized to work in
5 the U.S.. C. Has been a resident of New York City
6 for at least 30 consecutive days. D. Meets all the
7 qualifications per registering to vote under the
8 election law other than U.S. Citizenship and E. Has
9 registered to vote as a municipal voter with the
10 Board of Elections in New York City.

11 Municipal voters would be able to vote in any
12 election for Mayor, Comptroller, Public Advocate,
13 Borough President or a Council Member for any city
14 ballot initiative. Municipal voters would not be
15 authorized to vote in any state or federal elections.

16 The Board of Elections would be tasked
17 implementing the bill. Among other things, they
18 would be required to create a municipal voter
19 registration form to be used by municipal voters.
20 Create a single registered voter list with a
21 distinguished marker for municipal voters and provide
22 informational notices to municipal voters about the
23 law. The Board of Elections would be prohibited from
24 requiring municipal voters to form a separate line or
25

COMMITTEE ON GOVERNMENTAL OPERATIONS

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a vote in a separate location. The bill would also include privacy protections for municipal voters.

Finally, the bill would create an advisory group that would provide recommendations regarding any problems or potential improvements with respect to the municipal voting process. The advisory group would be made up of five members, Chaired by the Public Advocate. There would be four representatives of community-based organizations. Two appointed by the Mayor and two by the Speaker of the Council.

There are many important questions about this bill that will need to be addressed. Representatives from the Administration, the Board of Elections, the Campaign Finance Board, community groups and other organizations are here with us today to speak about the bill. We look forward to their testimony.

The second bill that we are hearing today is Introduction 2316, sponsored by Council Member Rafael Salamanca in relation to city agency attendance at Council hearings. The bill would require that at least one representative of each city agency call to testify before City Council Committee remain in attendance for the duration of the committee hearing.

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 10

2 And with that, I want to thank my fellow Council
3 Members Rodriguez and Salamanca for their leadership
4 on these pieces of legislation today. They will
5 speak more about their bills in a moment. I also
6 want to thank our Committee Staff CJ Murray, Emily
7 Forgione, Elizabeth Kronk and Sebastian Bacchi for
8 their work on this.

9 I would now like to invite Council Member
10 Salamanca, sponsor of Intro. 2316 to give a
11 statement.

12 COUNCIL MEMBER SALAMANCA: How are you Mr. Chair?
13 Can you hear me?

14 CHAIRPERSON LEVIN: Yes, sir.

15 COUNCIL MEMBER SALAMANCA: Alright, thank you.
16 Thank you for allowing me to speak.

17 CHAIRPERSON LEVIN: Yes Council Member.

18 COUNCIL MEMBER SALAMANCA: My bill is just a very
19 commonsense bill. We know throughout our hearings we
20 have many members from the community that want to
21 come and give public testimony and many times the
22 community feels that their testimony is not being
23 heard by the appropriate agency. Given point NYCHA,
24 many times as Chairs of Committee's, we allow city
25 agencies, especially the Commissioners to speak

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2 first. Once they give their testimony and they hear
3 questions from Council Members, they leave and the
4 question is, are city agencies actually hearing to
5 the concerns of residents in the City of New York?

6 And so, what this bill would do, it would require
7 city agencies to leave someone, preferably a decision
8 maker throughout the entire hearing, so that they can
9 listen to New Yorkers and they can bring back that
10 information and really bring positive change. With
11 that, I thank you for allowing me to speak.

12 CHAIRPERSON LEVIN: Thank you very much Council
13 Member Salamanca. I would now like to invite Council
14 Member Ydanis Rodriguez, sponsor Intro. 1867 to give
15 a statement.

16 COUNCIL MEMBER RODRIGUEZ: Thank you Chair. I
17 also would like to thank Chairman Fernando Cabrera as
18 the Chairman also of this Committee for being one of
19 those who are signing on this bill. This Committee
20 has nine members and six of those members support
21 this bill. It means that we have the vote to pass at
22 the Governmental Committee. And also, we veto power
23 number at the Council.

24 I want to say that when you look at the back
25 where I am, I am there protesting a lot of injustice

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1
2 and invasion in the whole world, fighting for
3 democracy. That photo you see back there, is myself
4 being in the 80's organizing against one of the most
5 important fight and accomplishment that I got
6 fighting against tuition, increasing budget cuts on
7 the Governor Cuomo. We were told that we couldn't
8 win the fight but I won, together with my colleagues
9 the fight. I didn't have a citizenship. I had a
10 green card, which was that I had from '83 to 2000.
11 During those years, I washed dishes out in a
12 restaurant. During those years, I worked at 2
13 Broadway working in a cafeteria. I worked as a
14 livery taxi. I was a student activist. I became a
15 teacher after graduating in '93 from city college and
16 paid my taxes too.

17 It is so unfair that we, the most progressive
18 city, are not ready to expand voting rights. To
19 reestablish a right of individuals who pay the taxes,
20 that has a green card, that has working paper to
21 understand right, that a resident of this city had
22 when in 1900, the New York City population was 96
23 percent White, two percent Black, Latino's and Asian
24 were a no count.
25

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2 Today, population is 29 percent Latino's, 24
3 percent Black, 15 percent Asian. We are the majority
4 but this coalition is more than Black. This
5 coalition is more than Latino. This coalition is
6 about Jewish, Irish, Italian. A lot of people who
7 are ready to say, it took a lot of decades for women
8 to get the right to vote in 1919. It took a lot of
9 decades for people of color to have the right to vote
10 because this constitution that we have must only
11 allow White men who had a lot to learn to vote in
12 this election. Up to 1926, it was not required to be
13 a citizen to vote in local election.

14 For Mayor de Blasio, we've been in this fight for
15 so many years. As I was marching those days, we were
16 organizing a support of the Sandinista and Nicaragua
17 or the members of Salvador, everyone who was
18 organizing for their freedom. This is our time for
19 you to lead the legacy. If the question were asked
20 to you about this, why don't you take that approach
21 that you're ready to lead this fight and if we need
22 to get to Albany, we go to Albany together. You ask
23 all of us to go to Albany to fight for mayoral
24 control but you know what, we are hear today as a
25 result of a long process. This bill has been

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1 introduced. He's been writing by so many other
2 colleagues. This bill, as I was elected selected to
3 sign in 2009 was carried on by Council Member Danny
4 Dromm, Margaret Chin. Tell me if I was wrong, but
5 when I put any LS requests on the Council, the LS
6 request is revised and the lawyer get back to me and
7 say, we cannot write this bill because this is not
8 legal.
9

10 So, how is the lawyer of the Council been
11 reaching this bill over and over? How do we went
12 through this process having so many meetings? And
13 the Immigration Coalition has their own lawyer and
14 they are ready and they are ready to fight if it's
15 needed? Can he go through a lawsuit? Probably
16 because we also have right wing individuals in the
17 City of New York who are always going to be asked to
18 go when we want to move the immigrant rights agenda
19 in the city. We were here for them today as we were
20 here in the discussion about why we should not pass
21 this bill. But the polls that being released by the
22 Immigration Coalition say, most of 60 percent of New
23 Yorkers support this bill. This bill is supported by
24 the New York State NAACP by the House Adjuster led by
25 Reverend Sharpton. By the Borough President Eric

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2 Adams, Gale Brewer, Ruben Diaz, Donovan Richards. By
3 the Public Advocate Jumaane Williams, by the Council
4 Member Brad Lander, by the Comptroller Scott
5 Stringer.

6 I saw so many New Yorkers to run to move this
7 bill or is it that some people have some fear that
8 this bill will change the landscape of the
9 participation in New York City? I would like to
10 believe that I'm wrong. I would like to believe that
11 no progressive individuals are there to be asked to
12 move this bill.

13 When we were running for the Speakers seat, the
14 question was asked at the New York One Debate to all
15 Council Members who were running, including myself,
16 do you support the municipal voting rights? And
17 everyone said yes, including my colleague Speaker
18 Corey Johnson. That I hope that also I can get his
19 support to move this bill.

20 This is not about a favor. This is about no
21 taxation without representation. Something that I
22 was teaching my students in the 15 years that I was
23 teaching social studies in the New York City public
24 school. We need to recognize the contribution made
25 by our immigrant brothers and sisters. This is not

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1 about doing a favor to immigrants by allowing them to
2 vote. If they pay their taxes as I did when I had
3 green card, then they should have a right to elect
4 their local leaders. And these people have a problem
5 with this, then they should move to another town or
6 another country that has not been built by
7 immigrants. They should move to other places in the
8 South, in the Midwest, that they are trying to stop
9 immigrant rights to be protected. Elections are not
10 only important but in many cases, they are the key to
11 create change at the federal and state and city
12 level, however, can we really consider our sole
13 representative for all members or community when
14 there are hundreds of thousands of potential eligible
15 voters who are being denied their right to vote? I
16 want to make it very clear for everyone, neither the
17 federal nor state will prevent New York City from
18 extending the right to vote in municipal election to
19 noncitizens. New York City has the power to
20 enfranchise noncitizens New Yorkers. And many times
21 we've been told that we were not able. That we did
22 not have the right , certain team Mayor de Blasio, we
23 did it and we did it together with you. We did it in
24 a paid sick day with them closing Rikers Island. We
25

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2 did it with the UPK. We need to do it and you should
3 do it under leadership, so that you can live this as
4 your last important legacy for the whole city and the
5 whole nation.

6 In a time when many states are passing voters
7 suppression laws, the lack of which we haven't seen
8 since the Jim Crow era. New York City must be seen
9 as a sample for other progressive city's to follow.
10 Nearly 400 voter suppression laws have been proposed
11 in 48 states after the last presidential election.
12 Passing this law will make this the largest
13 additional eligible borders in 50 years. The city
14 had to come apart in Maryland helping a lot of
15 noncitizens to vote in the municipal elections since
16 the 1990's.

17 And many other arguments our colleagues have been
18 making against this bill have never happened. There
19 hasn't been any issue or an uproar against or because
20 noncitizens were able to vote. Eleven other city's
21 in Maryland and Illinois allow no citizen the right
22 to vote alongside three other countries, Ireland,
23 Switzerland and Australia allow their noncitizen to
24 vote as also Columbia and Spain. We go to Europe to
25 learn about Vision Zero and we cannot look at Europe

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1
2 and Latin America to look about how people who are
3 not a citizen should be allowed to vote in local
4 election and we call this progressive. Immigrants in
5 New York City on 52 percent on local businesses and
6 contribute over \$100 billion to the citywide GDP.

7 During the height of the pandemic, it was our
8 immigrant New Yorkers who kept New York City running
9 when a lot of people moved to the Hudson Valley into
10 Long Island. Over half of our frontline essential
11 workers are immigrants and approximately one-fifth
12 are noncitizen New Yorkers. They have earned their
13 right to participate in a local election to decide
14 what the leader — who will be making the decision on
15 keeping the street clean, invest in quality
16 education, who create a good paying job. Who create
17 opportunities for women and minority to have access
18 to local small businesses. We have fought hard to
19 pass a law that allow non-citizen to get a driver's
20 license, create ID NYC and create higher education
21 scholarship to noncitizen New Yorkers.

22 We were told many times this was not possible and
23 yet, we made it possible. It is now time that we
24 emphasize our immigrant New Yorkers so that they can
25 elect and hold a local leader accountable. To leave

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2 nearly one million voters out of a city democracy
3 process is un-American, is un-progressive. And a
4 country builds on the back of immigrants, we must ask
5 ourselves why haven't we already passed a bill that
6 will enfranchise those who have green cards and
7 working permits. It is because there are people who
8 believe that if you extend voting right to
9 immigrants, we will dilute and make the vote of
10 citizen less important. That's not how democracy
11 works. Allowing people to vote benefit us all. It
12 is our duty to return the right to vote to a
13 noncitizen immigrant living in New York City at a
14 time where the city today look different than what it
15 looked in the 1900's.

16 [SPEAKING IN SPANISH 19:01-19:25]

17 CHAIRPERSON LEVIN: Thank you very much Council
18 Member Rodriguez. And before we turn it over to the
19 Administration for testimony, I want to just
20 acknowledge the good work of the Chair of this
21 Committee Fernando Cabrera and everything that he's
22 done for the last almost four years as Chair and uhm,
23 and I just wanted to make sure we acknowledge his
24 good work.
25

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2 And with that, I'll turn it over to the Counsel
3 to administer the uhm, uh, the oath to the
4 Administration who will be testifying.

5 COMMITTEE COUNSEL: Thank you Chair. My name is
6 CJ Murray, I am Counsel to the Committee on
7 Governmental Operations. Before we begin testimony,
8 I want to remind our panelists that you will be on
9 mute until you are called on to testify. At which
10 point you will be unmuted by a member of our staff.
11 I will be calling on panelists to testify
12 periodically throughout the hearing, so please listen
13 for your name to be called.

14 All hearing participants may submit written
15 testimony to testimony@council.nyc.gov. At today's
16 hearing, the first panel will consist of members of
17 the public. After that, there will be several panels
18 consisting of representatives from the administration
19 and then additional members of the public will
20 testify.

21 There will be time for Council Member questions
22 after each panel. If a Council Member would like to
23 ask a question, please use the Zoom raise hand
24 function and I will call on you in order. We will be
25 limiting Council Member questions to five minutes,

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2 which includes the time it takes the panelists to
3 answer your question. Please note that for ease of
4 this virtual hearing, there will not be a second
5 round of questioning outside of questions from the
6 bill sponsors and the Committee Chair.

7 We will now hear from our first public panel.
8 Each panelist will be given three minutes to speak.
9 The Sergeant at Arms will keep a timer and will let
10 you know when your time is up. Once I have called on
11 you, please wait until the Sergeant has announced
12 that you may begin before starting your testimony.

13 I would now like to welcome Melissa John to
14 testify, followed by Murad Awawdeh and then Fulvia
15 Vargas De Leon. Melissa John, you may begin upon the
16 Sergeants announcement.

17 SERGEANT AT ARMS: Time starts now.

18 MELISSA JOHN: Good morning everyone. My name is
19 Melissa John, I am a Citizen of Trinidad and Tobago
20 by birth. I am a New Yorker by choice. Classroom
21 teacher by profession. Taxpayer, green card holder
22 and one of the individuals that would benefit from
23 this bill. Voting is a privilege and it has been a
24 privilege extended to White males and that has been
25 the pathology and power structure of this country.

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It is a solid vestige of postcolonial America. Historically, Black and Brown bodies on American soil have had their respective voices discounted. The existence and passage of the Naturalization Act of 1790 which limited citizenship to any alien being a free White person who had been in the U.S. for two years is one relic that supported that second class citizenship. The Municipal Rights Bill, a Local Law to amend the City Charter, would benefit individuals like myself green card holders and there is no illegality to this bill as it already exists in different parts of the United States. In California and 11 municipalities in Maryland.

However this legislation passing in New York City is the catalyst for immigrant suffrage rights in other city's with large immigrant folks. Immigrants have always been the cornerstone of New York City's culture and commerce yet continue to have their political voices stifled and be denied power at the polls while still contributing financially to the neighborhoods and boroughs they now call home.

This disparity once again became evident during the onset of the pandemic in March 2020. Many immigrants who are also essential workers expose

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2 themselves daily to a deadly virus in order to keep
3 countless New Yorkers safe.

4 As the 2021 Mayoral elections approach and they
5 have come to a close right now, this bill is very
6 important as it would allow nearly one million of my
7 fellow immigrant New Yorkers to have a voice in New
8 York City local election. We contribute to the legal
9 force. We contribute to the business economy. We
10 are taxed in community whose taxes also will be
11 paying the salaries of those public officials that
12 individuals have decided to elect. Voices is really
13 important for it to be a part of the political
14 process.

15 Continuous engagement in the democratic process
16 is a revolutionary act. The Municipal Voting Rights
17 Bill will arm immigrants with the tools to fully
18 engage in the political process while concurrently on
19 the pathway toward citizenship and create a holistic
20 and comprehensive voting landscape reflective of New
21 York City's diversity. Thank you.

22 COMMITTEE COUNSEL: Thank you. Next, we will
23 hear from Murad Awawdeh followed by Fulvia Vargas-De
24 Leon and then Carole Wacey. Murad Awawdeh, you may
25 begin upon the Sergeants announcement.

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SERGEANT AT ARMS: Time starts now.

MURAD AWAWDEH: Thank you. Good morning. My name is Murad Awawdeh; I am the Executive Director of the New York Immigration Coalition. Thank you for the opportunity to testify. The New York Immigration Coalition supports both bills being heard today. It would be great if every agency had to stay for the entirety of the hearing so they could listen to how legislation actually effects the people of this city.

Especially legislation like Introduction 1867, which has several dozen individuals and organizations that took time out of their work day to urge the Council to restore voting rights to immigrant New Yorkers.

We live in a democracy and yet nearly one million New Yorkers can't vote. These New Yorkers live here, work here, go to school here and pay taxes here. According to the Mayor's Office of Immigrant Affairs, just over half of New Yorkers with green cards or other legal status have lived here for over ten years. These New Yorkers are an essential part of our city. And the city as a whole is worse off by not having their voices reflected at the ballot box. Right now, so many other states are trying to take

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2 away people's rights to vote. But here in New York
3 City, we also have taken away people's voting rights.

4 One of the untold stories of U.S. history is how
5 common and legal non-citizen voting was for the first
6 150 years of our history. Immigrant New Yorkers used
7 to be able to cast votes for Mayor, city
8 representatives until that right was taken away in a
9 racist, nativist, backlash of new types of immigrants
10 from southern and eastern Europe and east Asia.

11 Despite this, New York City maintain noncitizen
12 voting in school boards until 2002, when school board
13 were eliminated. The City Council has an opportunity
14 to right this wrong and restore non-citizen voting.
15 Failing to pass Introduction 1867 this year means
16 failing not nearly one million New Yorkers but their
17 communities as well.

18 What we are demanding is simply that residents of
19 New York City get to vote on who represents New York
20 City. The people who would be enfranchised by this
21 legislation may not have the piece of paper that says
22 they are a U.S. citizen but they are absolutely New
23 Yorkers. The ongoing pandemic has demonstrated just
24 how vital these New Yorkers are to our city. Half of
25 all frontline essential workers are immigrants and

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one in five are noncitizen. How can you look at these New Yorkers in the eye and tell them that you appreciate that they literally risk their lives to keep this city functioning but you don't think they deserve to vote for their City Council member or Mayor. Because that is what not passing this legislation means. It means you are telling New Yorkers they must continue to put their bodies at risk, but you don't care about their voices. It means keeping one out of every nine New Yorkers on the sidelines of democracy.

SERGEANT AT ARMS: Time expired.

MURAD AWAWDEH: Voting rights are political power and a lack of power means that some people, some neighborhoods and some issues are treated differently and given lower priority than others. Failing to pass this legislation would delay democracy and diminish civic eagerness within immigrant communities and communities of color. Democracy cannot wait at a time when democracy itself is under attack worldwide, this Council should lead the way on voting rights and show the world what 21st Century democracy looks like. This legislation has been around for a long time. It has been talked about and debated. That

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2 the super majority of the Council supports it. Most
3 residence of our city support it. How much longer do
4 one million New Yorkers have to wait for their voting
5 rights. This legislation has the votes to pass the
6 Council today. Don't let another election year,
7 another election, another year, another day go by.
8 Pass this legislation now. Thank you.

9 COMMITTEE COUNSEL: Thank you. I will now
10 welcome Fulvia Vargas-De Leon to testify. After
11 that, I will be calling on Carole Wacey and then
12 Crystal Walthall. Fulvia Vargas-De Leon, you may
13 begin on the Sergeants announcement.

14 SERGEANT AT ARMS: Time starts now.

15 FULVIA VARGAS-DE LEON: Good morning Council
16 Members. Thank you for the opportunity to testify
17 here today. My name is Fulvia Vargas-De Leon and I'm
18 an Associate Counsel with LatinoJustice PRLDEF.

19 LatinoJustice is one of the country's leading
20 civil rights legal defense funds. And part of our
21 work focuses on advocating to ensure the
22 enfranchisement of those who were traditionally
23 excluded from the electoral process. At a time where
24 many states across our nation are enacting broad
25 voter suppression laws to make it more difficult to

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2 participate in the franchise, New York City should
3 lead an enacting legislation that seeks to
4 enfranchise close to one million New Yorkers who
5 currently have no voice in the electoral process.

6 Citizenship has never been a constitutional
7 prerequisite for voting and history indicates instead
8 that localities in states look at a persons domicile
9 to determine whether they were allowed to vote. The
10 notion that citizenship is required for voting is new
11 when put in context of American history. And its
12 practice is deeply rooted in a racist history of
13 attempting to keep marginalized communities from
14 having a say in who is elected. While some may deem
15 Introduction 1867 as a revolutionary measure in terms
16 of voting rights, between 1968 and 2002 in this very
17 city, noncitizens were able to vote in and run for
18 school board elections. We recognized then that
19 noncitizens should have a say and be actively engaged
20 in the manner in which their community schools were
21 managed. Thus, what we're seeking here is actually a
22 restoration of the right to vote in local elections.

23 We expect immigrants to show up for the city day
24 in and day out, even in the midst of a pandemic.
25 They are your teachers, delivery people, local

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1 grocer, your colleagues, your next door neighbors.
2 And yet, we say to them, live in the city, send your
3 kids to school here, work here and even pay taxes
4 here. But if you want to have a say in who runs the
5 city. If you want to have a say in the legislation
6 that is passed in the city, you don't meet the
7 necessary requirements.
8

9 Introduction 1867 is signal of the conundrum that
10 exists in calling many in our immigrant community our
11 essential workers. Expecting them to show up and
12 risk their life for the city yet still denying them
13 the ability to have their voices heard when it comes
14 to the electoral process. It is time to change this
15 arbitrary practice and empower all of our community
16 to act and effect change for voting. Thank you.

17 COMMITTEE COUNSEL: Thank you. Next, we will
18 hear from Carole Wacey followed by Crystal Walthall
19 and then Nora Moran. Carole Wacey you may begin upon
20 the Sergeants announcement.

21 SERGEANT AT ARMS: Your time starts now.

22 CAROLE WACEY: Thank you very much. My name is
23 Carole Wacey. I'm the President and CEO of Women
24 Creating Change, we're a nonprofit based here in New
25 York City that increases civic engagement and

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2 awareness for women who have been systemically been
3 excluded from civic processes.

4 I want to thank you acting Chair Levin for
5 inviting us to participate and submit testimony. I
6 am here to submit testimony in support of Intro. 1867
7 to restore, not expand, not give something new, but
8 to restore voting rights to nearly one million New
9 Yorkers with work authorizations, and green cards.
10 At Women Creating Change, we have been advocating for
11 voting rights and civic engagement for more than 100
12 years, and in 2021, this work continues. Having been
13 directly involved in the women's suffrage movement,
14 WCC is proud to raise our voices once again to expand
15 democracy, make sure everybody can participate and
16 we're proud to be partners with our city, our Vote
17 Coalition, and our incredible partners both at the
18 New York Immigration Coalition and United
19 Neighborhood Houses. This legislation is a natural
20 extension of our early work and we're proud to be a
21 part of it.

22 Over my 30-year career, I have worked in the
23 politics and policy and philanthropy, nonprofits,
24 media, and advocacy. My work at WCC is really a
25 return to some of my activist roots. My own family

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2 immigrated to the U.S. in the late '60's. Uhm, my
3 siblings, my parents and I, were all green card
4 holders for a long time. My feminist mother
5 encouraged me to be active and to participate in our
6 new home country. I was happy to do that. I fought
7 for things like the Equal Rights Amendment back in
8 the '70's, social security, and pay equity. All
9 these things from an early age. I've always been an
10 engaged citizen but I couldn't vote also until I
11 became a citizen in the 1990's. I was in my 20's and
12 I shouldn't have had to wait. Just like so many
13 people shouldn't have to wait right now.

14 Uhm, as we've all been saying, immigrants are
15 really a backbone to not only New York City but to
16 our country. And they shouldn't be taxed without
17 being represented in every way. New York City should
18 be a leader on this. We should be proudly out front.
19 Uhm, it's really quite sad that we haven't led and
20 it's great to have so many members really putting
21 their foot forward and really calling upon others to
22 lead.

23 We know that local elections are not only as
24 consequential, many often, many times, more
25 consequential than federal or state elections. They

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really impact our day to day lives. And this is a real opportunity for all of us. We want to restore the vote. I want to thank the 33 Council Members and our Public Advocate for really getting out front and supporting this legislation and I want to urge the City Council to put this to a vote. Restore this vote. There is no democracy unless all can participate in democracy. Thank you.

COMMITTEE COUNSEL: Thank you. Next, we will hear from Crystal Walthall followed by Nora Moran and then Mia McDonald. Crystal Walthall you may begin upon the Sergeants announcement.

SERGEANT AT ARMS: Time starts now.

CRYSTAL WALTHALL: Hello, good morning. My name is Crystal Walthall; I am the Executive Director of Faith in New York. Faith in New York is part of faith in action, the largest grassroots community of organizing organization in the country and I'm proud to be here this morning. I am here representing thousands of people of faith in New York City and to uplift the moral imperative of Intro. 1867. We have a moral obligation to the almost one million New Yorkers who currently do not have a voice in our city government. Who do not currently have the power to

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uplift their voice in the vision and buildings of New York City, of their communities, of their schools, of their blocks. Passing Intro. 1867 not only expands and restores this uhm, this democratic right to these residents. It also rejects the nativists, the racist and the other uhm, policies that were in place to even strip this voting right.

New York City is home to more than three million immigrants. We are a city built on immigrants. We rely on their labor, their culture, their dollar, their influence and yet do not give them the voice to be able to determine things like sanitation pickup. How their dollar is being spent in their communities. How systems and other things in their communities will help benefit their children, their families and create a safer, quality of life for our communities. How can we do that? How can we say that we love and protect our neighbor? How can we say that we are truly living into democracy, when we are actively creating a space where we are taking someone's labor, taking someone's dollar, taking someone's culture and then saying, no, you do not have the ability to actually speak on what will be beneficial to you, your neighbor, your family. I say that that is a

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space where we are not acting in a space of morality and we have the opportunity to change that. What does this mean by passing Intro. 1867? That means increase civic engagement in our communities and many folks I believe today on this City Council, that would mean that your parents will have the opportunity to vote. Your loved ones, your cousin, your neighbor. Those who support you, actually have the opportunity to vote for you.

This means that it will change the landscape of our communities and the quality of life. This means that those who on the frontlines, risking their lives during COVID every day actually have a say in the recovery of our city.

My Christian faith calls me to love on my neighbor. To care for the widow, the orphan and it also encourages me to dismantle the systems of oppression that prevent us from living the lives that we have been called to as our creator has deemed it. And so, I call on the City Council today to restore this voting right for our immigrant residents. Thank you so much.

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2 COMMITTEE COUNSEL: Thank you. Next, we will
3 hear from Nora Moran followed by Mia McDonald. Nora
4 Moran, you can begin on the Sergeants announcement.

5 SERGEANT AT ARMS: Time starts now.

6 NORA MORAN: Thank you so much for the
7 opportunity to testify this morning. My name is Nora
8 Moran, I am the Director of Policy and Advocacy at
9 United Neighborhood Houses. We work with New York
10 City Settlement Houses and represent 44 settlement
11 houses across the state.

12 UNH you know has supported Intro. 1867 for
13 several years. Has been supportive of you know the
14 concept of expanding voting rights for many years and
15 that really comes from our Settlement House members.
16 For over a century, they have driven higher levels of
17 civic engagement in their neighborhoods and have a
18 very long history of welcoming immigrants. They work
19 very closely to promote civic engagement. They lead
20 nonpartisan voter mobilization efforts, census
21 outreach efforts and see often individuals who are
22 very excited to make their communities better and
23 their neighborhoods better but are denied that one
24 fundamental way, in which they can do so. Which is
25 the ability to vote in local elections.

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2 And for UNH, we really saw the urgency of this
3 bill during the COVID-19 pandemic. Choices were
4 being made that impacted peoples day to day lives
5 around schools, around health care. Uhm, whether or
6 not you know who was an essential worker. What
7 businesses were essential and there were nearly one
8 million people who could not make their voices heard
9 and weigh in on those issues in a very fundamental
10 way.

11 Lots of my colleagues have noted you know this
12 bill would really restore voting rights, you know a
13 long history in this country of having noncitizens
14 vote in elections and you know, additionally we've
15 done different kinds of legal analysis as a
16 coalition. We've not found anything in the state or
17 federal constitution that would prohibit New York
18 City from doing this and from passing this law.

19 We really feel that the time is right to pass
20 Intro. 1867. There is groundswell of support for the
21 bill. Majority of Council Members supporting it,
22 nearly 70 organizations as part of the RCDR Vote
23 Coalition, supporting it. As well as many
24 organizations who are ready to work hard on
25 implementation of this bill and make sure that it is

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implemented well and safely and that individuals know their rights when the time comes for them to be able to vote in local elections.

And I'd just close by saying, as we're seeing states across the country, take action to suppress voting rights. We in New York City have an opportunity to change that national discussion and expand voting rights in municipal elections and in franchise. Nearly one million people who would be able to vote. So, thank you so much for the opportunity to testify and happy to answer questions at the end.

COMMITTEE COUNSEL: Thank you. Next, we will hear from Mia McDonald followed by Assemblywoman Catalina Cruz. Mia McDonald, you may begin upon the Sergeants announcement.

SERGEANT AT ARMS: Your time starts now.

MIA MCDONALD: Good morning Chair Cabrera and members of the Committee. I am Mia McDonald, Political Manager at the New York Working Families Party. Thanks so much for the opportunity to testify on behalf of Intro. 1867. The New York Working Families Party is a multiracial progressive coalition of individual members, labor organizations and

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community groups committed to building a state rooted in equity and justice.

Central to our goal is upholding, expanding and realizing a true democracy, which at its core, should ensure democratic representation for all of our neighbors and afford the right to vote to those who make the city what it is. Today, nearly one million noncitizen New Yorkers are denied that right. Our neighbors contribute to our city and pay taxes, are active in their communities and most importantly, are just as if not more impacted by the decisions made by elected officials, yet still unable to choose them.

The right to vote could and should be designed along residential, not citizenship lines. This is a matter of equality, true representation and transformative justice. During this ongoing pandemic, we have seen the central work of our noncitizen neighbors perform to keep the city running. Half of all frontline essential workers are immigrants and one in five are noncitizen New Yorkers. They risk their lives serving as medical professionals, keeping pharmacies and grocery stores open and keeping our buildings clean. Many are delivery workers who are making an average of less

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2 than \$8.00 an hour without basic worker protections
3 and without a voice in government to hold those in
4 power accountable. These workers absorb the most
5 risk in this crisis and should have a say in what
6 recovery looks like.

7 As our city's immigrant population is
8 overwhelmingly Black, Brown and Asian, this is a
9 critical matter of racial justice. Our systems of
10 policing, immigration, education and housing, have
11 long produced racial inequity and expanding the right
12 to vote moves us closer to racial equity in our city.

13 At the Working Families Party, we strive to be an
14 organization that is inclusive and representative of
15 New York, which crucially includes our noncitizen
16 neighbors. As a democratic organization and
17 political party, noncitizen members vote on who the
18 Working Families Party endorses and to ensure our
19 processes are accessible to all. We've held
20 candidate endorsement interviews simultaneously in
21 five different languages. We are an organization
22 that has revised our model and practiced the work of
23 internal democracy to ensure our political decisions
24 and endorsements reflect our communities.

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2 And along with many of our member organizations,
3 we strive to model fair, more inclusive processes and
4 we're calling on New York City to do the same and
5 we're a proud member of the Our City Our Vote
6 Coalition and we urge the City Council to do the
7 right thing and pass Intro. 1867 immediately. Thank
8 you.

9 COMMITTEE COUNSEL: Thank you. Next, we will
10 hear from Assemblywoman Catalina Cruz. Assemblywoman
11 Cruz, you may begin on the Sergeants announcements.

12 SERGEANT AT ARMS: Your time starts now.

13 CATALINA CRUZ: Good morning Mr. Chairman and
14 members of the Committee. My name is Catalina Cruz
15 and I am the Assembly Member representing Corona,
16 Jackson Heights and Elmhurst. I represent the most
17 diverse district in the country, where more than 150
18 languages are spoken. Of the approximately 123,000
19 members of my community, 60 percent were born in
20 another country and 40 percent are noncitizens. This
21 includes permanent residents, recipients, refugees
22 and definitely undocumented people.

23 Most of us came to this country looking for a
24 better future for our families. We pay taxes,
25 raising our children to our schools. We open up

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businesses. We ride mass transit and use our hospitals. Just like you and I.

But unlike you and I, they don't get to choose who represents them and their values. They don't get to vote for those making decisions over their future of their children, the loss of business, how mass transit is invested in or even their health care.

These noncitizen New Yorkers pay taxes to the tune of \$10 billion each year but they have no influence as to how that money will be invested back into their communities. This is taxation without representation. Which stands contrary to the very principles in which our country was founded. Intro. 1867 will extend voting rights to close to one million New Yorkers who deserve the right to choose whether you or even I represent them, but that's going to be a conversation for another day.

Over the last 18 months, we saw over and over again how many of these families put their lives at risk so that many of you could stay at home and be safe during quarantine. As Murad said earlier, half of all those frontline workers are essential immigrant workers. One out of every five are noncitizens. The many legal permanent residents and

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recipients, or refugees who are nurses, doctors, pharmacists and kept our families alive.

Standing with immigrants shouldn't just be a campaign timeline. Supporting Intro. 1867 tells our neighbors, tells your constituents because every single one of you has immigrants in your community. It tells them that they matter. It tells them that their voice matters. But when you stand against them, it also tells them that they are only needed during campaign. And before I end, I want to address a statement made by Mayor de Blasio and regurgitated and probably will be addressed by some of the folks here today who stand against this bill.

The noncitizen voting is against the constitution. It is unconstitutional. Well, it's already happening around the country in more than ten towns in Maryland, five towns in Massachusetts, in Portland, Maine, Washington DC is looking at it. And guess what? The courts haven't overturned that. This legislation does not violate federal law. It actually grants — the states are granted discretion to choose who gets to vote in our municipal elections. That is exactly what you're doing.

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Now, one of the things I think it's really important is, that over the last year, we saw how much the voice of immigrants is needed.

SERGEANT AT ARMS: Time expired.

CATALINA CRUZ: I'll just say one last thing. Every single one of us wants to talk about how much we stand with immigrants over the last year. This is when it counts. This is a time that you get to actually put your vote where your mouth is.

CHAIRPERSON LEVIN: Thank you so much Assembly Member. Uhm, now, Committee Counsel, I think we're going to have Council Member Yeger. I'm going to recognize Council Member Yeger for five minutes?

COUNCIL MEMBER YEGER: Thank you Mr. Chair. I see the Public Advocate has his hand up and I would yield to the stature as an ex officio member of this Committee if the Chair wants to recognize him first.

CHAIRPERSON LEVIN: Okay. Public Advocate.

PUBLIC ADVOCATE JUMAANE WILLIAMS: Hello? Can anybody hear me?

CHAIRPERSON LEVIN: Yes, sir.

PUBLIC ADVOCATE JUMAANE WILLIAMS: Thank you Chair Levin. Thank you Council Member Yeger. I very much appreciate it. As mentioned, my name is Jumaane

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Williams, the Public Advocate of the City of New York. Thank you Chair Cabrera and a special shout to Council Member Ydanis Rodriguez and Salamanca for both their bills. I'll be speaking primarily on Council Member Ydanis Rodriguez bill. I do first want to lift the plight of the 13,000 Asian nationals at our border that the president is trying to send back. Very often, the plight of Black immigrants are not lifted up as much as they should be, so I want to start with that.

Immigrant New Yorkers shape our city in countless ways but many are locked out of the electoral processes. This means city residents will fund, use, and provide essential government services of no political voice and how these services are funded and operated. It also means that elected leaders have no political incentive to advance policies that are of interest to these residents. Even when those policies most adversely affect them.

As a sanctuary city that prides itself on its immigrant past, present and future, this must change. As a first generation American, a son of immigrants from Grenada, I am proud to co-sponsor the vote bill, Intro. 1867 by Council Member Rodriguez which would

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2 restore and I think it's important that we continue
3 to say that. We simply restore the right of
4 noncitizen New Yorkers who have green cards and work
5 authorization to vote in municipal elections.

6 Expanding the franchise through this bill will
7 strengthen civic engagement, government
8 accountability and immigrant rights. I strongly urge
9 my colleagues to pass this legislation. I'd like to
10 note that while this bill is transformative, it is
11 not unprecedented. I hear a lot of push back of
12 legality. Maybe it's one of the logistics that we
13 can move through because there are already nine
14 municipalities in Maryland where noncitizens are not
15 excluded from the franchise, Brownsville, Chevy
16 Chase, Sections five and three, Glen Echo,
17 Hyattsville, Martens Editions, Mount Rainer,
18 Riverdale Park, Somerset and Takoma Park.

19 Additionally, Chicago and San Francisco
20 noncitizens are able to vote in school board
21 elections. Further, New Yorkers who are noncitizens
22 were previously able to vote in school board
23 elections from 1969 to the dissolution of the school
24 board system in 2002. It is also critical to note
25 that noncitizens had voting rights in this country

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for much longer than they did not have voting rights. From the founding of the country into the wave of anti-immigrant sentiment in the 19th and early 20th centuries, noncitizens had the right to vote in many states and federal territories.

Let's be clear, the exclusion of immigrants from voting is a political choice rooted in racism and xenophobia. We can get this done and we have a duty to. Whether it is furthering language access, keeping immigrants and custom enforcements off our streets, securing labor rights for delivery workers and street vendors, supporting small businesses, improving and legalizing substandard basements. This city has a multitude of priority initiatives that are affecting the immigrant community. It is critical that we amplify their voice and governance by extending them the right to vote. Very often in these situations it is people who are of privilege trying to prevent people from getting that privilege. The question we have to ask is why? Whether it is marriage or it is voting rights. It is, what are we trying to prevent and why are we trying to prevent it and we should allow people who have the worst impact of our policies, the ability to vote on who will make

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those policies. And as I mentioned, we are simply restoring something that I believe was wrongfully taken away from people in the first place.

So, I don't have any questions. I wanted to make that statement. I wanted to thank all of the panelists for the work they are doing to get this forward. A special shoutout to the Assemblywoman who has been doing this work for quite some time and is a shining example of the people we are speaking about. This should be a proud moment for New York City. It should be a proud moment for our nation as we're pushing back on the xenophobia we're seeing. I'm hoping that our colleagues support it and that our mayor show some leadership in a time where leadership is lacking from that side of City Hall.

Thank you so much everyone. Thank you Council Member Yeger again and Chair. Peace and blessings.

CHAIRPERSON LEVIN: Thank you very Public Advocate. We'll now call on Council Member Yeger.

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER YEGER: Thank you Mr. Chair. I'll speak briefly. First of all, with respect for my colleague, the Public Advocate and he is 100 percent right. As have many of the speakers before, this is

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2 a city of immigrants. And no city in the nation does
3 more for its immigrant population than New York City
4 and that's been true and its been getting better and
5 that doesn't mean that our work is done. One of the
6 things we can and should do is assist people who want
7 a pathway to citizenship. Who are legal residents of
8 this city, who have or this nation, who have green
9 cards. That's something that my office does. That's
10 something that many of our colleagues in Council do.
11 By having attorney's in our office who assist people
12 with the paperwork, we ought to do more as a city and
13 help provide the funding that's necessary to pay the
14 fees for people who can't afford it to want to turn
15 their legal residency in the United States into
16 citizenship. We should.

17 I too, am a first generation American. My father
18 came here on a boat with his older brother and his
19 parents. I am the son and grandson of immigrants.
20 My mother's father escaped Nazi Europe through the
21 generosity of the good people of Japan and
22 subsequently China was able to live out the war there
23 before being welcomed here into the United States.
24 And I'm now a member of the City Council.
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1 That story is not unique to me. That's
2
3 everybody's story in this city and its been the story
4 of New Yorkers for several hundred years. The
5 question before us, in my view, is not whether this
6 is the right thing to do or whether this is the wrong
7 thing to do. The question is whether we, the New
8 York City Council have the legal authority to do
9 this. While many colleagues of mine who have spoken
10 so far and many of the Speakers who have spoken so
11 far have focused on whether or not this violates
12 federal law. It doesn't. It doesn't violate federal
13 law. It doesn't violate the United States
14 constitution. It is however unconstitutional because
15 it violates the New York State constitution. The New
16 York State Constitution sets forth the obligations,
17 the rights of cities and municipalities in the state
18 and it sets forth the legal positions that
19 governments in the state can take.

20 Cities like ours are a creature of the state.
21 They only exist by the states granting us the
22 authority to do it. The constitution is not silent
23 on this question, it speaks as to who may vote. Not
24 a lot of attention has been focused on school board
25 elections. My father was a three term member of the

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2 school board until school boards were disbanded by
3 the state legislature early this century.

4 Parents were entitled to vote board elections
5 whether or not they were citizens of the United
6 States. That was a right granted not by the City of
7 New York, not by this body, by the State of New York.
8 So, when Assemblywoman Cruz, a colleague of mine for
9 whom I have an enormous amount of respect is here
10 before the Council talking about what we ought to do,
11 I turn the question back to her and to her colleagues
12 of the state legislature. This is something that
13 they ought to do. They ought to pass this in the
14 state legislature, amend the constitution and if this
15 is what the state legislature wishes to do, they
16 couldn't do it but we can't. Now, this is not a
17 unique statement from me, I do this frequently here
18 in the Council, talk about the things that we pass
19 that we're not allowed to pass. And as frequently as
20 I mention this, the courts back me up. So, we can
21 pass this if we want to. How many sponsors is
22 irrelevant? You need a majority to pass it, more
23 than a majority is sponsoring this bill. But the
24 question is whether or not it will become law. It
25 will not because it will promptly thrown out because

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2 we do not have the legal authority to pass it. And
3 again, this doesn't mean that those who oppose this
4 are xenophobic. It doesn't mean that those who oppose
5 this don't like immigrants. It doesn't mean that
6 those who oppose this don't respect the immigrants of
7 the United States, don't respect the people here in
8 New York City.

9 Nobody in this Council to my knowledge is a
10 decent of anybody who came here on the Mayflower.
11 And even if they were, they're still immigrants.
12 Everybody in this Council, everybody that we
13 represent is an immigrant. This is a city of
14 immigrants. But we also have to respect what the
15 rules are and the rules are that we are creature of
16 the authority granted to us by the State of New York.
17 But the State of New York has chosen not to grant us
18 the authority to enact this legislation. This is a
19 matter reserved for the state, it's called
20 preemption. We all know that because we talk about
21 it all the time.

22 So, we can have this hearing and I imagine it's
23 going to be a very long hearing and I will be here as
24 long as I can. As you know, my holiday begins a
25 little later today so as long as I can be here, I

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2 will be. But it's not about our authority to pass
3 this. Thank you very much Mr. Chair.

4 CHAIRPERSON LEVIN: Thank you Council Member
5 Yeger. I'll turn it back over to the Committee
6 Counsel.

7 COMMITTEE COUNSEL: Thank you Chair. Uhm, I will
8 now call on Council Members in the order that you -

9 CHAIRPERSON LEVIN: I'm sorry, I'm sorry, uh,
10 Counsel. I do actually have a couple of questions
11 for the panel if they are still here, if that's okay.

12 COMMITTEE COUNSEL: Sure, go ahead please.

13 CHAIRPERSON LEVIN: Okay, uhm, this is an open
14 question for anybody on the panel. Uhm, do any of
15 you have an estimate of how many New Yorkers would
16 become eligible to vote under this bill?

17 And I think if you are not able to unmute
18 yourself, just you can raise your hand and the
19 Council will unmute you.

20 MURAD AWAWDEH: It's about 900,000 people.

21 CHAIRPERSON LEVIN: 900,000 people. How many
22 registered voters are there in New York? I don't
23 know that number off the top of my head, probably a
24 couple million, three million maybe, three, four
25 million?

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2 Uhm, okay, so this would uhm, this would augment
3 the number of registered voters in New York City by
4 easily double digits in terms of percentage.

5 MURAD AWAWDEH: Potentially yeah.

6 CHAIRPERSON LEVIN: And then I think the public
7 advocate mentioned other jurisdictions that have
8 implemented noncitizen voting that have overcome any
9 significant implementation issues? If so, if anyone
10 has any knowledge about that or information that they
11 could provide for the record. If any other
12 jurisdictions, whether it is in New York State or in
13 any other state where there has been implementation
14 issues and what those jurisdictions have been able to
15 do there.

16 MURAD AWAWDEH: Do you want to jump in Nora?

17 NORA MORAN: Sure. I'll say we have spoken with
18 uhm; Takoma Park Maryland is one that has had
19 noncitizen voting rights, I think at least 20 years
20 now. And that bill actually - or the way they do it
21 actually it's for anybody regardless of citizenship
22 status. Intro. 1867 just focuses on LPR's and those
23 with work authorization. They have you know put
24 protections in place to make sure that uhm, voters
25 are you know sort of clearly marked on the poll

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books. Their registration forms explain to people what their rights are. They get opt out you know clauses and things like that in case somebody accidentally registered to vote in a federal election and you know wasn't supposed to. So, they've you know, figured out ways to put different safeguards in. Uhm, different advocates and other you know individuals supporting the bill. We have spoken with them just to learn a little bit more about what that implementation has looked like and they told us that they've never had somebody vote in a nonmunicipal election. And voting you know in an election; they were not qualified to do so forth.

CHAIRPERSON LEVIN: And just from a legal question, uhm, a jurisdictional question, Takoma Park and I'm sorry, I forgot the other municipalities that the Public Advocate mentioned but those municipalities did this through a Local Law or local ordinance down there. And did they run into constitutional challenges from the mayoral and state constitution? I mean, I don't know if you're a state constitution expert but uhm, I don't know if anyone could speak to kind of the constitutional issue that Council Member Yeger raised.

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2 MURAD AWAWDEH: Yeah, uhm, we have someone who is
3 on. They are going to be speaking I guess late in
4 another panel. His name is [INAUDIBLE 1:01:58].

5 CHAIRPERSON LEVIN: Okay.

6 MURAD AWAWDEH: He's been working on this issue
7 extensively.

8 CHAIRPERSON LEVIN: Okay.

9 MURAD AWAWDEH: And would be better suited to
10 respond to the previous instances of municipal voting
11 happening.

12 CHAIRPERSON LEVIN: Hmm, hmm.

13 MURAD AWAWDEH: You know, the state constitution
14 does not say noncitizens can't vote. The State
15 Election law allowed local election law to be
16 inconsistent with state law. So, there is that to be
17 said as well and there is precedent from earlier
18 cases that already happened. So, I don't foresee
19 this as an issue against the state constitution more
20 so than having the will to get this bill done. And I
21 see the Assemblywoman has joined to speak.

22 CATALINA CRUZ: Thank you and I'll let the
23 witness later add a little bit more but I think one
24 of the things that we all as legislators and those of
25 us who are attorney's are pretty much aware of is

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2 that, when it comes to preemption, we at the local
3 level can always expand the rights but never actually
4 diminish the rights that whoever is above us be it
5 the state or the federal government is giving in a
6 particular situation.

7 And haven't actually been a drafter for the City
8 Council. I can tell you often road bills that we
9 weren't sure whether they were constitutional or not
10 but we knew that it was the right thing to do, so we
11 moved them forward because it was the right thing to
12 do. It isn't the job of Council Members. It isn't
13 the job of the legislature to determine whether there
14 is perhaps an open question, constitutional or not.
15 Arguably, I would say this is not an open question.
16 There has been at least three holdings in a court of
17 appeals and other courts in the state of New York
18 allowing municipalities to determine who can vote.

19 But even if there was, let the courts decide. It
20 is not our job as legislators to do that. It is not
21 your job as legislators to do that, let the courts
22 decide. And so, I'll leave it at that but I - to
23 address my colleague Mr. Yeager, definitely you know
24 given our role at the state, we will absolutely be
25 looking at this but it shouldn't diminish what you

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2 guys need to do now. It shouldn't excuse what you
3 guys have to do now. You guys can open the doors and
4 the rest of the state can walk through it.

5 CHAIRPERSON LEVIN: We do have a bill here that
6 certainly we can pass and we're meeting part of that
7 process today here by hearing the bill, so.

8 MURAD AWAWDEH: Chair, we can also share our
9 legal memo with you regarding this matter and we're
10 happy to do that and also happy to announce that we
11 are back to having a super majority on the bill. And
12 with Public Advocate Williams that brings us up to 35
13 cosponsors with a new addition of Councilwoman Darma
14 Diaz, who was here earlier. Thank you for signing on
15 to the bill.

16 CHAIRPERSON LEVIN: Uhm, does anyone know in
17 other jurisdictions that have implemented noncitizen
18 voting, do noncitizens generally vote at similar
19 rates as citizens do? I don't know if there is any
20 analysis of that.

21 MURAD AWAWDEH: I believe so but again, we can
22 circle back with that answer or you can ask the
23 following panel.

24 CHAIRPERSON LEVIN: Okay, great and then, here is
25 a question, this might be this is a question that

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2 certainly we'll be asking the Board of Elections but
3 the Board of Elections obviously has made a number of
4 high profile in the states in the past few elections
5 uhm, that have hampered the smooth administration of
6 election. Uhm, it's kind of an ongoing story there.
7 Are you confident that they could administer a
8 program like this successfully? What resources or
9 regulations or procedures do you propose to avoid
10 Board of Election errors detrimental to running
11 municipal voting, a municipal voting program?

12 MURAD AWAWDEH: Well, I don't think that we
13 should prohibit uhm or not restore the right of
14 voting and bring in more people into our democracy
15 because the Board of Elections generally tends to not
16 do their job appropriately. So, I think that there
17 is uh, there is an opportunity to partner with New
18 York City Board of Elections to ensure that they run
19 this program well and I think that the Advisory
20 Counsel and Committee that would be Chaired by the
21 Public Advocate and in partnership with four other
22 organizations can help set up that system for the
23 Board of Elections to ensure that they are able to
24 move this process forward in a seamless way.
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CHAIRPERSON LEVIN: Uhm, I think that might be something that uhm, if this bill were to pass that we could look to the state for some help and kind of the overall set up of the system program and oversight in the administration as well. You know make sure that there is the resources available and uhm, uh, and that it not be subject to – I mean, one of the challenges that we've seen in New York City over the last five or six years in particular has been this kind of decrease in confidence in democracy because of mistakes at the Board of Elections. And so, I agree with you though that uhm, we should not be uhm, letting those concerned determine which policies we pursue. Just because they have made mistakes does not mean that we should not be looking to expand the franchise.

Okay, so those are my questions for the panel at this point and I greatly appreciate everybody's patience and the thoughtful testimony of this panel. And with that, I will turn it back over to the Counsel to the Committee and I want to thank you all. Thank you Assembly Member for your testimony and I look forward to working with you in the future.

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2 COMMITTEE COUNSEL: Thank you Chair. I will now
3 turn it back to Council Member Rodriguez as the
4 sponsor of Introduction 1867 to see if he has any
5 questions. Council Member Rodriguez.

6 COUNCIL MEMBER RODRIGUEZ: [SPEAKING IN SPANISH
7 1:08:51-1:09:23] [LOST AUDIO 1:09:23].

8 COMMITTEE COUNSEL: Council Member Rodriguez, did
9 you have questions for this panel? We can go back to
10 him if he would like to raise his hand later. At
11 this point, I will now call on Council Members in the
12 order they have used the Zoom raise hand function.
13 Council Members, if you'd like to ask a question and
14 you have not yet raised your hand, please do so now.

15 Okay, seeing no hands raised, uhm, we can now
16 move on to the Board of Elections testimony unless
17 Chair Levin, you have any follow-up questions?

18 CHAIRPERSON LEVIN: No, I'm just seeing if
19 Council Member Rodriguez has questions. But if he
20 does not, then I am happy to call on the next panel
21 for testimony.

22 COMMITTEE COUNSEL: We'll give him a minute.
23 Okay, thank you. The next panel will consist of
24 representatives from the New York City Board of
25 Elections. Our panelists will include Executive

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2 Director Mike Ryan and Deputy Executive Director Dawn
3 Sandow.

4 Before we begin testimony, I will administer the
5 oath. Executive Director Ryan, Deputy Executive
6 Director Sandow, please raise your right hand. I
7 will read the oath once and call on each of you
8 individually for a response. Do you affirm to tell
9 the truth, the whole truth, and nothing but the truth
10 before this Committee and to respond honestly to
11 Council Member questions? Executive Director Ryan?
12 It looks like the Board of Elections is on mute.

13 MICHAEL RYAN: Yes.

14 COMMITTEE COUNSEL: Thank you. Deputy Executive
15 Director Dawn Sandow?

16 DAWN SANDOW: Yes.

17 COMMITTEE COUNSEL: Thank you. You may begin
18 your testimony.

19 MICHAEL RYAN: Yes, as I discussed with Council
20 Staff, we are preparing to testify before the New
21 York State Senate tomorrow. And we were not prepared
22 to issue remarks today but we did make ourselves
23 available to answer any questions that the Council
24 may have of the Board. And as we also discussed, if
25 there are questions that come up for which we do not

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2 have a response as we do always, we are prepared to
3 issue written responses back to the Council at the
4 conclusion of the formal hearing proceedings.

5 COMMITTEE COUNSEL: Great, thank you. At this
6 point, I'll turn it over to Chair Levin for
7 questions.

8 CHAIRPERSON LEVIN: Thank you very much. So, I'm
9 going to actually turn it over to Council Member
10 Rodriguez who has questions right now and then I'll
11 ask a few as well.

12 COUNCIL MEMBER RODRIGUEZ: Thank you Chairman.
13 In the past, when we have the Board of Elections in
14 front of us and that question has been asked to the
15 Board of Elections on this bill. And what the
16 records say and as I personally ask a question to the
17 Board of Election. I say that it is not your job for
18 you to decide that you have the capacity to execute
19 the law in the Council beside it. What can you say
20 about it?

21 MICHAEL RYAN: That remains our position. I
22 think the only thing that has somewhat changed is
23 there appears to be a bit of a disagreement, a split
24 if you will, at the City Government level but that's
25 not for us to resolve. I just would like to also

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2 remind the Council as well, that should lawsuits
3 arise, the New York City Board of Elections is
4 represented by the New York City Law Department. So,
5 with that structure in place, I stand by our previous
6 comments to this Council.

7 COUNCIL MEMBER RODRIGUEZ: Thank you. And I will
8 say that I know that that's a position that you know,
9 that for us is important that even though we know
10 that Board of Elections has been going through a lot
11 of challenges and only because of internal issue of
12 where we believe that the Board of Election can run
13 this all better but also because we need to invest
14 more resources. And also, we need to support the
15 Board of Election. I think it is important that the
16 Board of Election is expressing that if the Council,
17 if the city pass this bill that there should not be
18 any issue why the Board of Election would not be
19 ready to work and put the system in place so that the
20 new couple of hundred thousand voters would be able
21 execute that right.

22 Have you looked at and I appreciate that position
23 and also, thanks for your leadership at the Board of
24 Election. Do you think that— have you looked at the
25 history of New York City allowing a noncitizen to

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2 vote in local election and when you look at it, what
3 is your opinion about it?

4 MICHAEL RYAN: There are some folks that still
5 work here that were here when noncitizens were
6 permitted to vote but that was limited to school
7 board elections. This would be a change in that
8 regard and under those circumstances, there was a
9 side by side registration process. If you might
10 recall the old buff cards, we called them buff cards,
11 registration cards. We called them buff cards
12 because that was the color that the paper was printed
13 on. It was called buff; it was like a light yellow.

14 And the school board elections were printed on
15 blue paper to differentiate between the two
16 processes. Now, of course there are challenges when
17 you're maintaining two systems as opposed to one but
18 it had been done before and from an operational
19 perspective, there is absolutely no reason to think
20 that it cannot be done again. But just to be clear,
21 laying to the side any legal questions that may be up
22 for public debate present.

23 COUNCIL MEMBER RODRIGUEZ: And of course, all the
24 lawyers, not to be a different interpretation that
25 you know and hopefully, you know we can arrive at the

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2 same place when it comes to what City Hall can talk
3 about it because it's not the first time that we end
4 up having some difference and at the end we end it in
5 the right place that benefit everyone. How do you
6 think that this law will expand voting rights?

7 MICHAEL RYAN: Well, there's really no way to
8 tell. If a door gets opened, you don't really know
9 who is going to walk through it. Now, it doesn't
10 seem in some of the other jurisdictions where this
11 has occurred that it has been widely used but
12 ultimately that's not the question. The question is,
13 if someone ultimately has the right to do something,
14 making that right available. Whether they choose to
15 exercise the right is up to the individual.

16 COUNCIL MEMBER RODRIGUEZ: Yeah, okay. Thank
17 you.

18 MICHAEL RYAN: Thank you Councilman and I would
19 like to just piggyback on one thing and Councilman,
20 you've always been very gracious with the Board of
21 Elections but you hit the nail on the head. I heard
22 some conversation back and forth or some testimony
23 about seeking state resources. We get some grant
24 money from the state but almost all of the dollars
25 that we spend on elections in New York City come from

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2 this body and from the administration. So, you're
3 right, if this is something that becomes a priority,
4 it's going to be up to the City Council and the
5 administration to properly fund it so that the
6 resources will be available.

7 COUNCIL MEMBER RODRIGUEZ: Well, thank you and we
8 will definitely be advocating for that and also, I
9 would like to highlight that as we also heard from
10 our representatives at the state level who join us
11 this morning, you know we hope to pass this bill in
12 New York City and to make New York City a role model
13 not only throughout the whole nation but also
14 throughout the whole State of New York. So, let's
15 continue working together. Thanks.

16 MICHAEL RYAN: Thank you Councilman.

17 CHAIRPERSON LEVIN: Thank you Council Member
18 Rodriguez. So, I do have questions Mr. Ryan and Ms.
19 Sandow. I will try to get through them as quickly as
20 possible, if that's okay.

21 So, uh, Mr. Ryan, I'm sorry, you made reference
22 to your previous remarks. What were those previous
23 remarks?

24 MICHAEL RYAN: I was reminded by Council Member
25 Rodriguez that we had previously testified and he was

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2 recounting back testimony that I had previously
3 given. To say that I am so cognitively limber that I
4 specifically remember the remarks.

5 CHAIRPERSON LEVIN: Okay.

6 MICHAEL RYAN: However, I accepted Council Member
7 Rodriguez's representations in that regard.

8 CHAIRPERSON LEVIN: Okay, so I guess my first
9 question is, would be the Board of Elections in New
10 York City be able to handle this, the provisions of
11 this bill?

12 MICHAEL RYAN: So, despite public colloquy, we
13 had handled a lot in the last year and a half in
14 particular with respect to the pandemic and all
15 legislative changes that were made including
16 remarkable expansion maybe temporary but whatever it
17 was, it happened. Remarkable expansion of the
18 absentee balloting process.

19 CHAIRPERSON LEVIN: Yeah.

20 MICHAEL RYAN: But to put it into a little bit of
21 a perspective, right now, we have just shy of five
22 million active voters and then you add another 1.6
23 million on top of that and that gives you the total
24 number of registered voters. So, if you limit this
25 just to active voters and you got 100 percent

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1 participation from this population, you would be
2 talking about a 20 percent increase in the number of
3 voters. And nothing in elections happens in vacuum.
4 So, you would be talking about the registration
5 process, which is one thing. And the domino effect
6 of everything else. The increase in the number of
7 poll sites and the number of voters per election
8 district and all of that would happen too.

9
10 CHAIRPERSON LEVIN: Right, which I asked the
11 previous panel what percentage you thought would
12 increase, so 20 percent is your estimation?

13 MICHAEL RYAN: Well, that's the top number and I
14 will go back.

15 CHAIRPERSON LEVIN: Okay, that's fair. I mean,
16 it's an estimation. It's not like you know.

17 MICHAEL RYAN: But it's not one that's done just
18 by throwing darts in the dark. I was going back to
19 previous testimony where I was asked rightly by
20 Speaker Johnson, what happens if everybody shows up?
21 When we had been making estimates in previous
22 elections and the answer, we didn't have a good
23 answer in that moment but that was three years ago
24 now. And so, that's what we have to plan for. What
25

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2 if everybody shows up? And if everybody shows up,
3 it's 900,000 by other peoples numbers.

4 CHAIRPERSON LEVIN: So, I'm not looking to like,
5 this isn't like the Board of Elections being a
6 punching bag here. I just want to know do you think
7 at this point that you would be able to implement the
8 provisions of this legislation? That's all.

9 MICHAEL RYAN: So, it always depends right, the
10 devil is in the depends. What is the implementation
11 timeframe?

12 CHAIRPERSON LEVIN: Well, how much time do you
13 think that you would need to implement the provisions
14 of this legislation? And maybe can you explain the
15 steps that would be required?

16 MICHAEL RYAN: The more lead time, the better
17 right. So, I understand that there is always a level
18 of legislative impatience that you know that
19 legislatures want to strike when the moment is there
20 if they have something they want to pass. So,
21 ultimately we are an administrative agency,
22 administerial agency and we will have to implement
23 whatever is passed.

24 But I will say this, with something like this, it
25 is incremental and evolutionary in this sense. There

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2 is a potential pool of 900,000 people. They are not
3 all going to show up on day one and register. That
4 will happen over the course of time and we won't be
5 inundated in that sense with high numbers in the
6 beginning. And like everything else, it will give
7 you an opportunity to grow into it if we see
8 disproportionate levels of registration in specific
9 neighborhoods, well then, we would probably come back
10 not only to the City Council but to other community
11 groups as well to find additional polling locations
12 and such since all of it is intertwined. It's not
13 just — the registration piece in some respects is an
14 infrastructure that has to built no matter what and
15 will handle one or one million registrations.

16 CHAIRPERSON LEVIN: Right.

17 MICHAEL RYAN: But it's the domino effect as I
18 said, that potentially could impact the remainder of
19 the system that I think would likely occur on an
20 incremental basis as opposed to you know, the damn
21 bursting so to speak in a flood.

22 CHAIRPERSON LEVIN: Do you anticipate this bill
23 requiring software updates and have you worked with
24 the voting machine companies or any other systems?
25 Uhm, or anything you would need from the State Board

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2 of Elections, any place of approvals or anything like
3 that? Like, have you gone through like a logistical
4 punch list of like or put together a logistical punch
5 list of what would be required?

6 MICHAEL RYAN: We have a preliminary
7 understanding of what the immediate needs would be.
8 I'm not anticipating on the election day side or
9 election now ten day side that there would be any
10 real issues with the voting machines themselves
11 because once the person gets a ballot, the ballot has
12 to work in the system and we can issue a ballot that
13 doesn't work, right.

14 CHAIRPERSON LEVIN: Hmm, hmm.

15 MICHAEL RYAN: So, it would be limited to the
16 number of the city contests. So, with all of the
17 changes that are being made, whether it be rank
18 choice voting or a change like this, you're
19 increasing the likelihood that there would be
20 multiple page ballots. Because for city contests in
21 a regular election, we would be able to mix the city
22 contest with state and federal contests.

23 CHAIRPERSON LEVIN: Right.

24 MICHAEL RYAN: We're going to have city contests
25 where noncitizens can vote and they cannot vote in

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2 those other contests and we would have to have a
3 separate page just for those contests. And then, we
4 would likely for the purposes of the equal protection
5 clause, since it applies across the board, we would
6 likely then have to give out a city ballot to
7 everyone in addition to the state and federal ballot.

8 So, you're now talking about likely a two page at
9 minimum, two page ballot for all contests in New York
10 City where city offices are implicated.

11 CHAIRPERSON LEVIN: Presumably, you would give a
12 two page ballot with kind of sequester ballots with
13 on the one side city, on the other side state.

14 MICHAEL RYAN: No, these would have to be
15 separate sheets of paper.

16 CHAIRPERSON LEVIN: That's what I mean. That's
17 what I mean. They would be different sections and
18 you would have to give the separate kinds of paper to
19 people that would vote in both right? So, yeah, so
20 it would be — that would apply to everybody. So, it
21 would be a change in the way that the Board of
22 Elections rights up its ballots because as it is
23 right now, they can be mixed together on a single
24 page because the same requirements are for both types
25 of contests.

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2 MICHAEL RYAN: Yes, but it also will
3 fundamentally change the conduct of elections.
4 Because candidates for various offices who officially
5 or unofficially run as slaves, will not be on the
6 same piece of paper anymore.

7 CHAIRPERSON LEVIN: Okay.

8 MICHAEL RYAN: So, if you wanted to marry up your
9 campaign with your local assembly person or your
10 local senator, uh, they are going to be on one page
11 and you on another.

12 CHAIRPERSON LEVIN: It's infrequent. I mean, the
13 amount of times when you have a congressional or
14 state office during uhm an assembly or a senate
15 office during a municipal election as if there's a
16 special election but it's not an on year election. I
17 mean, your congressional and your state office -
18 regular elections are on even years. Your city
19 elections are on odd years. Again, that's not
20 withstanding specials and then of course the district
21 attorney's on the odd years, I get it.

22 Uhm, do uhm, are party positions, is there - I
23 don't necessarily want to go down that road but is
24 there any provision among state law that party
25 positions cannot be voted on by noncitizens?

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MICHAEL RYAN: Again, we're not prepared to speak to the legality of it.

CHAIRPERSON LEVIN: Okay, it's not really in the purview. Let's leave it aside. Let's leave it aside because it's not really in the purview of this bill. Uhm, this bill would increase the number of voters as you mentioned and you have to anticipate you know 100 percent of those new voters being able to vote, actually casting votes. What is the — have you examined like what the budgetary impact to the City Board of Elections would be both in a kind of one shot framework and then for an ongoing budgetary impact that you kind of estimated what the budget impact would be here?

MICHAEL RYAN: Given the notice that we received for this hearing, we did not really deep dive into dollar. But there is always a dollar implication, no question about it.

CHAIRPERSON LEVIN: I think if we move forward, I would encourage, you would have to work with the Council Finance Division because there will be a fiscal impact so, I would encourage you to uhm, you know respond to their questions if they start reaching out to you guys about uhm —

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1 MICHAEL RYAN: There is the one shot –

2 CHAIRPERSON LEVIN: We have to do a budgeted
3
4 [INAUDIBLE 1:30:50].

5 MICHAEL RYAN: The single shot right, if we have
6 – and we will have to, we would have to make
7 modifications to the registration process. That's a
8 one off one time expense but then, uh, there will be
9 also ongoing expenses associated with additional
10 polling locations, additional poll workers and all of
11 that if we get a substantial increase in
12 participation but that happens on a rolling basis.
13 So, we negotiate our budget every year and it depends
14 on the number of contests for that year and then
15 always the wild card is whether a special or specials
16 get thrown into them.

17 CHAIRPERSON LEVIN: Sorry, I forgot about judges.
18 There's traditional elections as well and those will
19 happen on even and odd years. Uhm, uh, let me ask
20 about with – so, under what circumstances and with
21 each entities does the Board of Elections now dare
22 voter role information? And would this need to
23 change if this bill were enacted and uhm, and would
24 it be possible for the Department, for the Board of
25 Elections to release voter roles if this bill were

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enacted without revealing which voters are United States citizens and which voters are not?

MICHAEL RYAN: So, all voter information as the present status of the law is, is public information. The only thing that we are legally permitted to shield from public view are the last four digits of the social security number of a voter. The nondriver or driver ID number from the New York State Department of Motor Vehicles and because the state of the law is so up to date, we are not allowed to reveal a fax number.

CHAIRPERSON LEVIN: There you go, okay.

MICHAEL RYAN: Those three items are the only items that we're able to shield.

CHAIRPERSON LEVIN: Very important the fax number, yeah got it.

MICHAEL RYAN: There is a very important fax number we can't give out. And we've had conversations with state officials and you know regarding email addresses and cell phones and things like that, but right now, those are not subject to exemption. They would have to be turned over as well. So, anyone can request all you know 4.9 plus

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2 1.6, all five point, almost six million voters and
3 get all of that information.

4 CHAIRPERSON LEVIN: But would you be able to,
5 would you be able to you know create a system that
6 would be able to share that type of information but
7 not share citizenship status. Or not share that it's
8 a municipal voter and not somebody that's eligible
9 than for state office.

10 MICHAEL RYAN: Again, I don't want to get into
11 legalities and what laws are applicable and not
12 applicable. All I can say to you is presently, the
13 law only allows us to shield three pieces of
14 information which I've already stated into the
15 record.

16 CHAIRPERSON LEVIN: Got it but for a practical -
17 on a practical level, you are able to shield some
18 information including the all important fax number
19 and the social security number etc..

20 MICHAEL RYAN: So, for example, if I went on to
21 my PC and I looked up a voter record because I'm an
22 elections official, I would get full record. If you
23 came into our offices here and went to one of our
24 public terminals, you would get all the information
25

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2 except for those three pieces of information that I
3 stated.

4 CHAIRPERSON LEVIN: Gotcha, okay. I'm going to
5 turn it over to Council Member Rodriguez. I think he
6 has a few questions as well and then I might ask a
7 couple more and call on other members of the
8 Committee to ask questions.

9 COUNCIL MEMBER RODRIGUEZ: Thank you Council
10 Member. I am very comfortable as I heard the Board
11 of Elections in previous hearings and today saying,
12 out job is to execute. It is not our job to make the
13 law and I think that this doesn't have you know the
14 decision of passing this bill to restore the
15 municipal voting rights, is based about the merit.
16 No one has a question how much those immigrants
17 contribute and sacrifice themselves during COVID when
18 a lot of people went to the Hudson Valley and they
19 stay here working in the deli, the supermarket, the
20 pharmacy as a first responder.

21 So, I think that I would like to take my approach
22 that whatever values that have to be invest, whatever
23 investment have to be made in the tech piece, that's
24 I will leave it also as a Council and the Mayor to
25 deal with that. This is about a right and I think

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2 that you know one thing that I also want to say that
3 you know, no one is a judge in any of those entities
4 to decide you know if we pass a bill. It is all
5 about us at the Council to decide. And I don't think
6 that again like you know having so many leaders that
7 share similar ideology. You know I mentioned all the
8 borough presidents, there is only one borough
9 president that has no side. The one from Staten
10 Island but all the borough presidents for the other
11 four boroughs, they have shown their support.

12 So, I think that you know, this is something that
13 we need to do our job and as usually if there is any
14 challenge, we let the court to do their job too. We
15 know we can make this change, like we did the choice
16 voting and there is already a separate New York City
17 ballot.

18 Only in unique circumstances there is any ballot
19 that bring together a voter right, a voter ballot in
20 front of them for a State of the City position. So,
21 again, I'm happy that you and the rest of the team,
22 the voter election are saying we are ready to do the
23 job if you guys pass this bill in working with the
24 city and that's what we're intended to do as we
25 already have the veto power.

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2 We also have Darma Diaz who signed today as the
3 last Council Member. So, now we have 34 Council
4 Members that are on behalf of this bill behind a
5 citywide vast majority collation that we have never
6 seen before. Thank you.

7 CHAIRPERSON LEVIN: For the Board of Elections.

8 COMMITTEE COUNSEL: Chair, I believe you were on
9 mute for the beginning of that question.

10 CHAIRPERSON LEVIN: Oh sorry. Do any other
11 Council Members have questions for the Board of
12 Elections?

13 COMMITTEE COUNSEL: Chair, I see Council Member
14 Yeger's hand is raised.

15 CHAIRPERSON LEVIN: Council Member Yeger for
16 questions.

17 SERGEANT AT ARMS: Time starts now.

18 COUNCIL MEMBER YEGER: Thank you Mr. Chair. Mr.
19 Ryan, just want to clarify something. You say the
20 law allows the board to shield certain information
21 from release. Information contained on voter
22 registration cards. Is that the New York City
23 Administrative Code?

24 MICHAEL RYAN: No, that would be the New York
25 State election.

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2 COUNCIL MEMBER YEGER: New York State election.
3 So, if the City Council were to pass a law that said
4 that there was additional information, you could not
5 release, say an address, would you be allowed to
6 comply with that law?

7 MICHAEL RYAN: My understanding is no but I also
8 understand that there is quite a bit of back and
9 forth but that should be something that would be
10 remedied or reconciled somehow between the state and
11 the city.

12 COUNCIL MEMBER YEGER: Okay and is the reason for
13 that because of the concept knowing that's
14 preemption? Where the state has acted on a
15 particular topic we are barred from acting as a city?

16 MICHAEL RYAN: Well, yes, I have cited that the
17 aspect of the law quite frequently in the eight years
18 that I've been here. So, yes, preemption is ever
19 present and is an umbrella over everything that the
20 City Board or any Board of Elections.

21 COUNCIL MEMBER YEGER: So, if we for example
22 determine that we were going to have early voting
23 start say 45 days before an election and mandate that
24 the city board open up poll sites for 45 days before
25 the election for 14 hours a day, you would look at us

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2 and tell us that we would be acting contrary to state
3 law?

4 MICHAEL RYAN: Yes.

5 COUNCIL MEMBER YEGER: Okay, alright. Well, I
6 think we're done. Thank you very much Mr. Ryan.
7 It's really good to see you again.

8 MICHAEL RYAN: Yes, nice to see you as well and
9 you and everyone else who shares your faith
10 [INAUDIBLE 1:40:12].

11 COUNCIL MEMBER YEGER: Amen, thank you and good
12 to see you looking healthy and being back up there.

13 MICHAEL RYAN: Well, this is my first hearing
14 back, so you know the cobwebs are you know coming off
15 but I think we're doing okay.

16 COUNCIL MEMBER YEGER: We're in good hands.
17 Thank you very much. Thank you Mr. Chair.

18 MICHAEL RYAN: Thank you.

19 CHAIRPERSON LEVIN: Mr. Ryan, does the Board of
20 Elections currently uhm, keep track of a voter
21 citizenship status?

22 MICHAEL RYAN: Yes because it's a state fact
23 though because first of all, you have to check the
24 box on the voter registration form, right.
25

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CHAIRPERSON LEVIN: But if well, I guess my question would be then, if it's the fact though because only citizens are allowed to vote but if you were to allow noncitizens to vote, there is no, is there state law governing whether or any new information, in other words, the state does not speak to if we were to expand voting.

Like, so for example, let me put it this way, was there a, when they did school board elections on the blue cards, did they keep – was there a question asked about citizenship status?

MICHAEL RYAN: I don't recall but it was a separate, it was a completely separate form and those records were kept separately.

CHAIRPERSON LEVIN: Well, let me put it this way. So, if you were okay, let me ask the question this way. If you were to implement this bill, is there any requirement – does the state law speak to any requirement of the Board of Elections to denote somebodies citizenship status?

MICHAEL RYAN: Yes because presently, under New York State law, we have to utilize a New York State voter registration form, which asks the citizenship question. Now, you don't have to actually use the

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2 form but you have to include all of the information
3 on the form.

4 So, if for some reason a voter wanted to fill
5 out, write it out in long hand, it would still have
6 to contain all of the information contained on the
7 State Board of Elections approved form. And a
8 question is, I am a citizen of the United States?

9 CHAIRPERSON LEVIN: So, then when I look up and I
10 go to the public terminal at the Board of Elections
11 and I look up someone's voter information, their
12 citizenship status will be affirmative in those
13 terminals. Is that correct? Is that what you're
14 saying?

15 MICHAEL RYAN: If not on the data screen because
16 I don't sit at the public screen very often. If not
17 on the data screen, certainly on the copy of the
18 voter registration.

19 CHAIRPERSON LEVIN: Okay.

20 MICHAEL RYAN: Which somebody could also -

21 CHAIRPERSON LEVIN: It's publicly accessible
22 right?

23 MICHAEL RYAN: It's publicly accessible, whether
24 it is on that data screen or not, I don't know off
25 the top of my head. It's on the data screen that I

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2 see but I haven't sat a public terminal to look it
3 up.

4 CHAIRPERSON LEVIN: It's not something that can
5 be withheld by the Board of Elections? You mentioned
6 the fax number?

7 MICHAEL RYAN: No, so what happens is the system
8 is programmed when we are printing something to
9 delete that information.

10 CHAIRPERSON LEVIN: To delete what information?
11 The fax number?

12 MICHAEL RYAN: Yeah, the fax number and the
13 social and the nondriver or driver ID number.

14 CHAIRPERSON LEVIN: But it does not delete the
15 citizenship question?

16 MICHAEL RYAN: No, because what will happen is
17 when a campaign goes - you'll see it more frequently
18 used in challenges to petitions. And one of the
19 things that campaigns use when they do challenges to
20 petitions are copies of the voter registration forms,
21 so that they can double check the signature to see if
22 somebody is eligible to vote. Does the signature
23 match? Does it not?

24

25

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2 CHAIRPERSON LEVIN: And on those forms, the last
3 four of the social gets redacted when a campaign asks
4 for the copy of the buff card?

5 MICHAEL RYAN: Correct and that certainly, that
6 happens as a matter of course without any questions
7 built into the system now.

8 CHAIRPERSON LEVIN: Uhm, okay. Uhm, if this bill
9 were enacted, what would happen if a poll worker
10 mistakenly gave a municipal voter a ballot with a
11 state or federal race on it? Would anything prevent
12 the voter from filling out or scanning an incorrect
13 ballot?

14 MICHAEL RYAN: No. Now for early voting, where
15 we use a ballot on demand system, the likelihood of
16 that occurring is much further down the road. It
17 probably wouldn't happen under those circumstances
18 but in paper ballot situations at a busy poll site,
19 if somebody gave the wrong ballot, it would be akin
20 to say a primary election. Where if a poll worker
21 mistakenly gave a republican a democratic ballot or a
22 democrat a republican ballot. Nothing in the system
23 would stop that ballot from being cast. And once
24 cast, cannot be backed up.

25

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2 CHAIRPERSON LEVIN: Okay, so then, what remedies
3 would the Board of Elections put into place should a
4 municipal voter fill out and scan the wrong ballot by
5 mistake and subsequently realize that they needed to
6 void the ballot? You're saying nothing can be done?

7 MICHAEL RYAN: Once the ballot is accepted into
8 the scanner, nothing can be done. That realization
9 would have to be made prior. And then if it was made
10 prior, then they would follow the void ballot
11 processes that are already in existence at the poll
12 site.

13 CHAIRPERSON LEVIN: And what would happen if a
14 noncitizen voter mistakenly attempted to vote in an
15 election where there were no local races on the
16 ballot? So, say on an even year election, no city
17 races on the ballot, would the poll worker be able to
18 identify that the individual is registered as a
19 noncitizen voter?

20 MICHAEL RYAN: So, we're taking a leap of faith
21 here that this already happened right? But we now
22 have electronic poll votes. But if we didn't have
23 electronic poll votes, let's say even in the old
24 paper poll vote days, this is more akin to primary
25 elections, right?

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CHAIRPERSON LEVIN: Hmm, hmm.

MICHAEL RYAN: In this city, you'll have democratic primaries in areas where you don't have republican primaries, right? So, if you're not an eligible voter for that contest, your name will not appear in the poll list book, whether it be a paper book or whether it's the electronic poll votes now. We don't just distribute an entire unfettered list of voters. Only eligible voter names appear in the poll list book for a given contest.

It could create confusion as it does in primary elections where people insist that they are registered and that they should be able to vote, when in fact, they may not be eligible for that contest. But that confusion is not the same as them appearing in a poll list book and getting a ballot when they shouldn't.

CHAIRPERSON LEVIN: Now, is there — what's the penalty if a registered republican uhm, is given a democratic primary ballot and votes in a democratic primary, is there a penalty to that voter? Are they guilty of some criminal offense?

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2 MICHAEL RYAN: No, I mean, if it's a simple
3 mistake and somebody makes an honest error, then no
4 problem.

5 CHAIRPERSON LEVIN: Would that apply then if a,
6 someone that's a municipal noncitizen voter, voted in
7 a state election that they were not entitled to vote
8 in, would that same perspective apply then or would
9 they be guilty of some— or would they be you know,
10 liable for some criminal statute?

11 MICHAEL RYAN: When it comes to the Board of
12 Elections, there is no penalty. Honest mistakes
13 happen. No election is perfect. Uh, but I can't
14 speak to what other implications there might be. We
15 have had in the past inquiries from various federal
16 entities regarding noncitizens voting in elections or
17 representing under those circumstances, representing
18 that they were citizens in order to become voters in
19 the first place.

20 CHAIRPERSON LEVIN: Is that uh, is there any
21 state law to that effect or is this purely federal
22 law?

23 MICHAEL RYAN: Well, in order to register to vote
24 in New York State, you have to be a citizen. So, you
25 don't get on the voter roles unless you are A. a

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2 citizen or B. made some misrepresentation that later
3 turns out not to be true in order to get yourself
4 registered to vote.

5 CHAIRPERSON LEVIN: If this bill went into effect
6 as law, that would obviously change that.

7 MICHAEL RYAN: Well, I think Council Member,
8 that's where the rubber meets the road. And that's
9 what I was discussing earlier. There seems to be a
10 split between the administration and the City Council
11 and the legality of it and uh, although we haven't
12 been brief on the Law Departments position, they seem
13 to have one. As it came out over the weekend, I was
14 a little bit surprised quite frankly, that that was
15 made public and not told to perhaps the most
16 important entity that it would need to be told to.
17 But that's a conversation for another day and in
18 another setting.

19 CHAIRPERSON LEVIN: Uhm, okay, so I am going to
20 ask my colleagues once more if they have any
21 questions?

22 COMMITTEE COUNSEL: Chair, Council Member Yeger
23 has his hand up.

24 CHAIRPERSON LEVIN: Council Member Yeger.
25

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2 COUNCIL MEMBER YEGER: Thank you. Just real
3 quickly to the Chairs question. Illegal voting in
4 New York is not a status crime. It require knowledge
5 and willfulness, so if somebody accidentally casts the
6 wrong ballot, it's not per say a crime, uhm but if
7 they willfully show up at a poll site and they're not
8 entitled to vote and it's done with knowledge and
9 willfulness, it is a crime. But just to the board,
10 you know the gentleman's first question in this round
11 was a question about whether or not there is
12 currently a law in New York with regard to mandating
13 or not mandating the disclosure of the question of
14 citizenship and whether or not the law speaks to it.
15 I think and you know, I see the Chair is — you're
16 nodding your head or you're shaking your head?

17 CHAIRPERSON LEVIN: No, no, no, neither, neither
18 I'm reading something, don't worry about it.

19 COUNCIL MEMBER YEGER: Okay, I don't want to
20 mischaracterize the gentleman's question but again,
21 I'm going to refer back to what I referred to
22 earlier. It is not a statute. It is the
23 constitution of the State of New York, Article Two,
24 Section One, and it's in the first two words. Every
25 citizen immediately followed by the words shall be

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entitled to vote at every election for all officers elected by the people. This is not a question of semantics or what does a word mean or let's roll the dice, or let's see what the Law Department feels about it. This is a question of nothing because the words are there and it's in the Constitution. So, again, you know all these questions to the Board and the Executive Director of being the expert that he is, is able to answer most of them but again, you know the Board doesn't defend itself in lawsuits, the City Law Department does.

The question again is not a question. It's very strict. It's very straight forward in the Constitution of the State of New York and the simplest way to do this is to the State Legislature to address this question instead of having it in our body. Much like it wouldn't be proper for the Department of Sanitation to propose rules regarding the building of a building. Because that's something that the Department of Buildings proposes rules about. It's literally the same topic. So, with that again, it's not a question to the Board but I do turn it back. Thank you very much.

MICHAEL RYAN: But and Council -

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COUNCIL MEMBER YEGER: Yes.

MICHAEL RYAN: Council Member Yeger, we did check and the citizens in question appears on that screen that you can view. And your answer to that question is visible to the public presently. And if I could just and maybe it's just because of what I've been through recently but if I can just piggyback on something that you said. I would like to recommend moving forward to everyone, that the State Legislature and the City Council can work more closely and more effectively when working hand and glove, so that there isn't a tug of war in which the Board of Elections becomes the rope that invariably will split down the middle and it puts us in a difficult position quite regularly, and it's not comfortable.

I respect the institutions of the city and of the state and I respect the individuals that serve. Whether I agree with them or disagree with them on a particular issue, often isn't even the case for me because ultimately, we have to follow whatever rules are set.

But I just wish that with these issues of importance and voter rights are so important that we

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1 just work together and work together for the city of
2 – the citizens of the City of New York and then we
3 can stop all of this. And then it becomes a much
4 easier process to deal with.
5

6 So, I'll try not to break my ankle jumping down
7 off my soap box but it's a plea. It really is just a
8 plea at this point. Let's work together and stop all
9 of this ranker back and forth. Not necessarily on
10 this particular issue but just in general.

11 CHAIRPERSON LEVIN: This is a very unrankerous
12 hearing. So, and that's the way I intend to keep it.
13 And with that, Mr. Ryan, I'm going to turn it back
14 over to bill sponsor Council Member Rodriguez for
15 questions.

16 SERGEANT AT ARMS: Time.

17 COUNCIL MEMBER RODRIGUEZ: Thank you. Thank you
18 Chair and as you know, you and I have worked on many
19 other initiatives and bills where we were told that
20 we were not allowed and we're not supposed to do it.
21 If we figure out how to do it and this is one of
22 those and I agree with the Board of New York City
23 Board Election, I think that you know this is about
24 us to figure out as the legislators to play our role.
25 We are not judge. If there is any challenge for

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1 something that we believe that you know the federal
2 law already states that the state and the city decide
3 – are the one's that have the right to decide who
4 vote in the state and municipal election. We need to
5 do our job. If it's a good thing to expand voting
6 rights, to expand democracy and then we let the court
7 to do the job.

8 We know that the Immigration Coalition is
9 surrounded by – and the members are more than
10 citywide institution. That cannot be wrong as I say.
11 You know, we need to revise like, as I, you know I
12 want to remind everyone, this is supported by the New
13 York State NWACP. By the House of Justice, by the
14 voting veto power members number that we have on the
15 Council.

16 So, there has to be something right and something
17 that makes sense and something that is legal.
18 Something that has been revised. Something that has
19 been disclosed by the coalition with many lawyers
20 from the Council, from the different parties to right
21 where we are today. But let's be clear, some of the
22 position is based on races. It's about some people,
23 they don't get it. That New York City today is not
24 the same New York City that we had in the 1900's when
25

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the population used to be made by 92 percent White,
two percent Black, Latino were no count.

Like, I'm one of those immigrants and I feel
again that again, a lot of the things that we've been
addressing as the Board of Election has said, you
know it's not for them to respond of the legality but
it's for us to work together as a legislature.

However, I want to you know, to bring to the
attention to the Board of Election is a question.

Have you looked at the City of Takoma Park in
Maryland in how they have been implementing this law
since 1990's and how they do not have any other
issues that have been addressed by some of the people
who are making any case on opposition on how to
organize, how to separate violence, how to be careful
that the noncitizen doesn't vote in the other
federal, the state elections? Have you by any chance
looked at that election at City of Takoma Park in
Maryland that have been implementing noncitizens to
vote since 1990's?

MICHAEL RYAN: As I said, we have — this came to
us kind of late. We haven't done a deep dive. The
only thing that I know about Takoma Park is the
present population is under 10,000. And so, I don't

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2 know how many of the 20,000 residents at Takoma Park
3 poll into the category and we haven't had an
4 opportunity to pick up the phone and call them but I
5 would suspect that like we did with early voting,
6 when the state passed it, if this were implemented we
7 would reach out to other jurisdictions like we did to
8 the states that had implemented early voting and get
9 the benefit of their knowledge and their experience
10 on dealing with this you know for a long term – as a
11 long term issue.

12 COUNCIL MEMBER RODRIGUEZ: And if you can answer
13 the question fine. If you prefer not to answer, I'm
14 fine too because of the role that you are playing
15 here to be sure that you send the message to everyone
16 that the Board of Election is ready to execute. If
17 we decide to work to pass this bill and this is
18 something that we need to work between all the
19 Council. That with the number that we have, the veto
20 power in City Hall and everyone that had to do this
21 job from this side. But you know, with Jerry
22 Vattamala, Staff Attorney for the Asian American
23 Legal Defense and Education Fund, made an argument,
24 had made an argument saying that New York State
25

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2 Constitution established a baseline or floor, not a
3 ceiling.

4 So, for anyone that want to bring any issue,
5 basically because they wouldn't be voting against
6 this bill if we move forward. So, but if we want to
7 look at the New York State Constitution, then you say
8 constitution, whether it's in constitution those, is
9 that we establish a baseline not a ceiling. It
10 doesn't say that noncitizens cannot vote. Only the
11 citizen can but that's not a prohibition for
12 noncitizen voting.

13 So, if you would like to you know, if you have
14 anything to add on what the State Constitution say,
15 more than happy to hear.

16 MICHAEL RYAN: Right.

17 COUNCIL MEMBER RODRIGUEZ: But if not, I just want
18 it to be clear for any colleague that is making any
19 arguments about the right that we have as a city to
20 vote on this bill.

21 MICHAEL RYAN: So, I would say this. We have
22 gone through as a state an unprecedented time of
23 changes to the elections process. We got hit with a
24 lot of New York State Election law changes. And in
25 the lead up to those changes, there was disagreement

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2 on what was appropriate and what was inappropriate.

3 And we did then what we're doing now, which is to say

4 there are always going to be implementation

5 challenges. Let the period of disagreement come to a

6 period of agreement and once there's a finished

7 product and there's a specified set of rules that we

8 have to follow, we will do our very best to follow

9 those rules as they stated. And it's really not for

10 us to get involved in the small pea political back

11 and forth of these issues. You guys come to us with

12 a finished product and it's all good and legal, we're

13 ready to go.

14 COUNCIL MEMBER RODRIGUEZ: Thank you.

15 CHAIRPERSON LEVIN: That's actually very, that's

16 very helpful to know. So, I'm going to have that

17 last statement be my takeaway from the Board of

18 Elections. Okay, that's all I got for the Board of

19 Elections. Any other Council Members? Going once,

20 going twice, okay. We'll let our colleagues from the

21 Board of Elections get back to doing their jobs and

22 uhm, we'll call no the Administration for testimony

23 now. Thank you very much for your time.

24 MICHAEL RYAN: Thank you.

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2 COMMITTEE COUNSEL: Thank you Chair. The next
3 panel will consist of representatives from the
4 Administration. From the Mayor's DemocracyNYC
5 Initiative Chief Democracy Officer Laura Wood will be
6 providing testimony. From the Mayor's Office of
7 Immigration Affairs Commissioner Raquel Batista and
8 Eileen Reyes Arias will be available to answer
9 questions and from the Mayor's Office of City
10 Legislative Affairs, testimony will be provided by
11 Director Paul Ochoa.

12 I will now administer –

13 CHAIRPERSON LEVIN: Go ahead Counsel. Thank you.

14 COMMITTEE COUNSEL: I will now administer the
15 oath. Chief Democracy Officer Wood, Commissioner
16 Batista, Director Reyes Arias, Director Ochoa, please
17 raise your right hand. I will read the oath once and
18 then call on each of you individually for a response.

19 Do you affirm to tell the truth, the whole truth
20 and nothing but the truth before this Committee and
21 to respond honestly to Council Member questions?
22 Chief Democracy Officer Wood?

23 LAURA WOOD: I do.

24 COMMITTEE COUNSEL: Thank you. Commissioner
25 Batista?

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1 RAQUEL BATISTA: I do.

2 COMMITTEE COUNSEL: Thank you. Director Reyes
3 Arias?

4 RAQUEL BATISTA: She's logging on now.

5 COMMITTEE COUNSEL: Okay, we'll come back to her.
6 Director Ochoa? Director Ochoa?

7 PAUL OCHOA: I do.

8 COMMITTEE COUNSEL: Thank you. Do we have Eileen
9 Reyes Arias on? That's okay, if she comes, I will
10 swear her in later. Chief Democracy Officer Wood,
11 you may begin your testimony now. Thank you.

12 LAURA WOOD: Thank you very much. Thank you to
13 Acting Chair Levin, to Chair Cabrera and all the
14 members of the Government Operations Committee for
15 calling this hearing. My name is Laura Wood; I am
16 the Chief Democracy Officer at DemocracyNYC. Very
17 much appreciate your holding this hearing today and
18 for the opportunity to provide testimony and thank
19 you so much to the staff and the advocates who helped
20 work to make this happen.

21 With so much focus on local elections this year,
22 we really appreciate the Council's calling a hearing
23 on this important topic and as I think has been
24 mentioned earlier, if Intro. 1867 becomes law, New
25

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2 York will be the first large city, the largest city
3 in the U.S. to allow noncitizens to vote in municipal
4 elections.

5 As I think members of the Committee know,
6 DemocracyNYC and the Administration have worked hard
7 over the past several years to push for increased
8 civic participation and to make the process of voting
9 easier and more accessible. And I will just note
10 that the June primary we just had was nothing short
11 of historic. With over 350 candidates on the ballot,
12 repetitive municipal elections across the city and of
13 course, the first ever citywide election with this
14 new system of rank choice voting. Our work this past
15 spring was bolstered by an unprecedented investment
16 of \$15 million to inform all New Yorkers about the
17 new system of voting ahead of the June primary and I
18 think a lot of that was work that was done at the
19 behest of the Council. So, we very much appreciated
20 your support and encouragement in that effort. This
21 included a citywide advertising campaign in 25
22 languages. Investments in language access and
23 accessibility resources and direct outreach with
24 community groups, faith-based organizations, minority
25

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and women owned businesses and many other stakeholders.

Our media placement vendor for that campaign estimated that we reached over 90 percent of New Yorkers with ads in 25 different languages. And I mention this because we recognize that immigrants make up a critical, crucial part of New York City and we agree wholeheartedly with many of the sentiments that have been expressed here today. And while we understand and appreciate the goals of the bill, we do have some concerns about it. Ultimately, it is these questions that mean that the city is not taking a position on the bill at this time.

Specifically, Intro. 1867 as written raises some legal questions that require careful review. For example, Article Two, Section One of the New York State Constitution provides that "citizens have the right to vote in New York State." This provisions terms apply to our local offices, through Article nine of the New York State Constitution, which require local elective officers to be elected by persons entitled to vote as provided in Section One of Article Two of the Constitution.

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2 We believe that review of these issues with the
3 city's lawyers and Council legal staff is appropriate
4 to ensure a shared understanding of the legal
5 context. In addition and as the Mayor and my office
6 have said publicly, repeatedly, the Board of
7 Elections is in urgent need of reform and allocating
8 responsibility for noncitizen voting to an
9 institution that is unreliable and unaccountable,
10 raises serious concerns. Especially as it relates to
11 privacy, discrimination and legal consequences.

12 Noncitizens who vote in federal elections, even
13 inadvertently can face severe criminal and immigrant
14 consequences. We simply do not feel confident today
15 that the Board of Elections would be able to minimize
16 the risk of error in this context.

17 While the city does not take a position on Intro.
18 1867 at this time, we do believe that noncitizen
19 voting is absolutely an issue that must continue to
20 be explored. And again, we think many, many good
21 points have been raised already today and I'm sure
22 will be raised later. This is an issue that is
23 publicly before the Racial Justice Commission, and
24 conversations are continuing citywide. So, once
25 again, we thank the Chair of the Committee and the

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2 Members for participating in the hearing and we look
3 forward to hearing more throughout the day and
4 answering any questions you might have on this topic.
5 Thank you.

6 COMMITTEE COUNSEL: Thank you. Director Paul
7 Ochoa.

8 PAUL OCHOA: Okay, Good afternoon now, Chair
9 Levin, Chair Cabrera and the members of the
10 Committee. I am Paul Ochoa, Director of the Mayor's
11 Office of City Legislative Affairs. I'm here to
12 discuss Intro. 2316 by Council Member Salamanca.

13 As you know, one of the roles of the office of
14 City Legislative Affairs is to ensure that the
15 Administration is prepared to testify at all relevant
16 Council hearings. We take this responsibility
17 incredibly seriously, and we pride ourselves in
18 having a great relationship with all the Chairs of
19 the 30 plus committees at the City Council.

20 Every time there is a committee hearing, either
21 in person, or virtual, we always have people watching
22 and taking notes in order for the Administration to
23 follow up with the relevant Chairs if there's an
24 issue raised that merits a formal response. In fact,
25 if there is a special request, as there was today,

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2 letting members of the public testify first, we
3 coordinate with the Chairs and Committee staff, in
4 order to accommodate these special circumstances.

5 Intro. 2316 would mandate by law that an officer
6 or employee of the city must be in attendance for the
7 entirety of the hearing to listen to all the
8 questions and testimony presented at the hearing.

9 While we of course support the idea of having members
10 of the Administration stay for the whole hearing, as
11 we always do, legislating this would set a difficult
12 precedent to meet without much impact to the public.

13 As I mentioned at the beginning of the testimony,
14 we are always happy to coordinate with the relevant
15 Chairs in order to ensure that the Council and the
16 Public both feel like they are being listened to by
17 Administration officials at the Council hearings.

18 With that, I am now happy to answer any questions
19 you may have.

20 COMMITTEE COUNSEL: Thank you. Chair Levin, I
21 will now turn it to you for questions.

22 CHAIRPERSON LEVIN: Do we have any other members
23 of the Administration testifying?

24 COMMITTEE COUNSEL: The Mayor's Office of
25 Immigrations Affairs would be available for Q&A.

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2 CHAIRPERSON LEVIN: Okay. Uhm, okay, uh, let me
3 turn it over to my colleagues if they have any
4 questions.

5 COMMITTEE COUNSEL: Chair, I see Council Member
6 Rodriguez.

7 CHAIRPERSON LEVIN: Council Member Rodriguez for
8 questions.

9 SERGEANT AT ARMS: Time starts now.

10 COUNCIL MEMBER RODRIGUEZ: I am so disappointed
11 that City Hall is not testifying in favor of this
12 bill. Especially when we have leaders that promote
13 expansion of democracy to come here to say that we
14 need more time to talk about it. I hope that the
15 team are doing their homework.

16 When this bill was introduced under Council
17 Member Dromm, under Speaker Christine Quinn. The
18 bill that also being revised under Council Member
19 Margaret Chin. A bill that we have been working for
20 years and an administration that has a couple of
21 weeks left. To come here with the opportunity that
22 they have, to leave a legacy. A mayor that's been
23 progressive in many areas. Don't come and tell me
24 everything that we have done for immigrants. Because
25 what I can tell you that shouldn't happen in

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2 Washington Heights, in the Bronx, in Brooklyn, mainly
3 effect people effect people of color in many of those
4 communities.

5 Some people, they don't have a voice to elect
6 their Mayor. To elect the Public Advocate. To elect
7 the Council Member. Yet because we as a city have
8 decided that this city has changed the color of the
9 skin of people coming to this city, then we change it
10 who will be voting in this city.

11 So, this is my first thing and disappointing
12 hearing from those who have been testifying, still
13 asking for more time or asking the legal part. No
14 one here is a joke. The Mayor is not a joke.
15 Immigration Coalition has a great team of lawyers and
16 they've been meeting with the Council. They've been
17 meeting with City Hall. And they've been able to
18 make the case, this is legal. We can do it.

19 As I've said before, we have to remember that
20 what we have in the New York State Constitution is a
21 baseline or a floor, not a ceiling. This is
22 something that we agree with City Hall.

23 CHAIRPERSON LEVIN: Council Member, I believe we
24 lost your audio here. Sorry.

25

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2 COUNCIL MEMBER RODRIGUEZ: Is that something that
3 we can agree with City Hall that the New York State
4 Constitution when it comes to this matter, only has
5 to establish a baseline or a floor and not a ceiling?

6 PAUL OCHOA: I can take it. I think Laura is on
7 mute. Council Member, we're not ready to discuss uh,
8 legal concerns at a public hearing but we're happy to
9 review privately with you and members of the staff as
10 you deem fit.

11 COUNCIL MEMBER RODRIGUEZ: This is not a staff
12 director or legislation. This is about City Hall how
13 to decide to make it public. Let's make it public.
14 New York State Constitution has established that on
15 this issue, there is a baseline and there is a floor
16 and there is not a ceiling. We have decided that the
17 citizens have the right to vote. It doesn't say that
18 noncitizen, immigrants with working papers and green
19 cards cannot have the right to vote.

20 PAUL OCHOA: Again, Council Member, I completely
21 understand your position. I'm happy to have a
22 discussion with you and the lawyers in a nonpublic
23 setting. As you know, we tend not to discuss legal
24 matters in public settings but we're happy to do that
25

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2 for you, and any other Council Member for that
3 matter.

4 COUNCIL MEMBER RODRIGUEZ: I have taken a lot of
5 heat working with this Administration because I
6 believe in the progressive thoughts that this Mayor
7 stands for. And when a lot of people say that we
8 should not close Rikers Island, I say let's do it.
9 And we were told that we couldn't do it.

10 When we talk about space expansion on a basic
11 day, we were told that we couldn't do it; maternity
12 leave, UPK for all. The only reason someone can be
13 behind trying to stop this movement that already
14 started in Maryland and please, no one bring any
15 excuses about what can happen to someone who is a
16 citizen and non-citizen going to vote -

17 SERGEANT AT ARMS: Time expired.

18 COUNCIL MEMBER RODRIGUEZ: And give the wrong
19 ballots. Don't bring that. If you want to learn, go
20 to Maryland. You will hear from them directly. The
21 City of Takoma Park that have been working, allowing
22 noncitizens to vote since 1990. And if they can do
23 it in Maryland, we think that we cannot do it in New
24 York City? Look at the faces of all those leaders
25 here that are the ones that are in the body working

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2 for immigrant rights. They will do the job to
3 educate the voters. Knowing who have the right to
4 vote. How to navigate the process.

5 This is about being a role model for the nation,
6 when the right wing in the south and the mid-west and
7 some of those voices in the city, try to start voting
8 rights. We have that opportunity here.

9 So, Laura, from the Chief Democracy Office
10 perspective, have you looked on how the New York
11 State Constitution only has established a baseline
12 and a floor and not a ceiling?

13 PAUL OCHOA: She's, she's muted.

14 LAURA WOOD: Thank you. Thank you. I was not
15 able to unmute. Thank you so much Council Member
16 Rodriguez. I know, you know I hear the frustration
17 in your voice and I so appreciate your advocacy on
18 behalf of all New Yorkers.

19 As I explained in my testimony, the legal
20 question has to do with the fact that the word
21 citizen is actually used in the New York State
22 Constitution, specifically as for the right to vote.
23 And that is precisely, I don't know if you call that
24 a ceiling or a baseline but that's precisely the
25 question that I think we feel needs to be worked out

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you know as a preliminary matter to ensuring that this could actually happen and be on solid legal footing.

COUNCIL MEMBER RODRIGUEZ: Again, I have a lot of respect for all of you as individuals and we know that we have worked on many issues and we know that we have been at some point, not necessarily, you know, in the same place at some point. But at the end of the day, this is about continuing to debate. And I hope again that this is something that we can work out. This is the only thing that I can do in my life. From being in government that will be because this is about me. This is about coming here and living with green card from '83 to 2000, as I shared before. You know myself right there, that's who I am and when I was a student activist, I was told that I could not be part of the movement and pursue Mayor Cuomo, not to increase tuition and cut the budget. And we won the battle.

And were told that we should not be able to stop the police abusing the underserved community and we were working in the '80's and the '90's and the 2000's and we been able to work in the administration to seek criminal justice reform. So, my passion is

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2 because I am one of those close to one million New
3 Yorkers. I was there in the street when a lot of
4 people moved to help somebody. When they moved to
5 the Hampton. When they live in 5,000 square feet and
6 I was there living in the underserved community in
7 Northern Manhattan. Where people live in a three
8 generation children parents, grandparents. I saw my
9 people, Black, Latino and Asian, the poorest one die
10 in larger numbers because they didn't have the
11 resources. Because they were dealing with pre-health
12 condition. So, let's not deny a right of someone
13 that have been paying their taxes.

14 So, I just hope again that you know like, lets
15 leave the role of the Judge to do the job. Let's do
16 our job. We have great lawyers with the Immigration
17 Coalition and the team. And I hope that we have in
18 veto power. We have four borough presidents, except
19 the one in Staten Island supporting this bill.
20 Having the Comptroller and hopefully the new
21 Comptroller. Having the statement that you could see
22 as public by the new hopefully Mayor. We will do it
23 but this is our time to do it together.

24 PAUL OCHOA: Council Member, I just want to
25 acknowledge your partnership and advocacy on all the

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2 things that you mentioned. We of course agree with
3 you and we've been side by side working with you on
4 all the things you mentioned that we've done for our
5 frontline workers. Anything, everything from you
6 know providing legal services to undocumented
7 immigrants, to helping them fight in court, tenants.
8 So, we really appreciate your advocacy for that as
9 well.

10 CHAIRPERSON LEVIN: Okay, uhm, any other
11 colleagues for questions for the Administration?

12 COMMITTEE COUNSEL: Not seeing any hands raised
13 Chair.

14 CHAIRPERSON LEVIN: Excuse me?

15 COMMITTEE COUNSEL: No, no Council Member has his
16 hand raised.

17 CHAIRPERSON LEVIN: Okay, uh, this question is --
18 I have a few questions for Chief Democracy Officer
19 Wood. Uhm, if the bill were enacted, how would
20 DemocracyNYC propose to work with the Board, the BOE
21 and VAC and other agencies to conduct outreach and
22 inform eligible municipal workers about noncitizen
23 voting? What would that look like?

24 LAURA WOOD: Well, uhm, I would -- I can't tell
25 you how much we would welcome the board as a true

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2 partner in that effort. Uhm, historically, you know
3 they administer elections. They don't historically
4 do a lot of outreach to actually register New Yorkers
5 and we would absolutely love to have them as partners
6 in that effort regardless of whether Intro. 1867
7 becomes law.

8 Uhm, but what I will say is that I think we would
9 continue doing what we've been doing these past
10 several years in close partnership with our friends
11 at the Campaign Finance Board, which of course is
12 closely affiliated with the VAC. And try to go out
13 into communities in New York where we think there
14 would be eligible residents and try to talk to them
15 about the importance of voting. And you know, we all
16 have drunk the Kool-Aid. I think we all know that
17 it's a great privilege but until we have higher
18 registration rates and higher participation rates,
19 you know our work is really never done.

20 So, it's a combination of outreach working with
21 community-based organizations. Uhm, conducting
22 forums, working with local elected leaders including
23 of course members of the Council uhm to, you know to
24 really get the word out and I'll just mention that
25 next Tuesday is actually National Voter Registration

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2 Day and that's exactly what our team will be doing on
3 the ground as we try to get as many New Yorkers
4 registered as we can this fall ahead of the general
5 election.

6 CHAIRPERSON LEVIN: This is a question that I
7 asked the Board of Elections that maybe you could
8 answer as well. No, I'm sorry, I asked this of
9 advocates before. Uhm, do you have a sense of uhm,
10 in jurisdictions that have implemented noncitizen
11 voting? Do noncitizens generally vote at similar
12 rates to citizens?

13 LAURA WOOD: Uhm, my understanding is that there
14 is not a clear comparison. I don't think we have
15 clear statistics on that. I am not sure if any of my
16 colleagues from MOIA have more to add on that but
17 it's certainly an interesting question and one I
18 would love to learn more about. Sorry, I'm not able
19 to shine light on that right now.

20 CHAIRPERSON LEVIN: I mean, I have a hypothesis
21 which is that they would probably vote in higher
22 rates than citizens that are registered to vote but I
23 don't have that - any comparable data to back that
24 up. That's just a hypothesis. Does anyone have any
25 data on that question from the Administration?

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2 RAQUEL BATISTA: Hi, this is Raquel, Commissioner
3 of MOIA, how are you?

4 CHAIRPERSON LEVIN: Good, how are you?

5 RAQUEL BATISTA: I'm doing good. Uhm, so, on the
6 question of data, we can absolutely help share more
7 information on data from other localities. But from
8 our understanding is that uhm, where there is
9 noncitizen voting. It's for school boards and school
10 board elections with the exception of Takoma Park.
11 And Takoma Park has about 18,000 noncitizens
12 registered to vote.

13 So, it wouldn't be anything in comparison to what
14 would happen in New York City. There is really
15 nothing to compare it to.

16 CHAIRPERSON LEVIN: Uhm, how would this bill
17 effect the city's efforts, education efforts around
18 rank choice voting? Would it have any impact on that
19 or how would you see these two initiatives or efforts
20 correlating?

21 LAURA WOOD: Thanks for unmuting. I think it
22 would actually be very similar to what we did this
23 past spring. Of course we're not going to have rank
24 choice voting in elections again for a couple years.
25 But I think you know assuming that things are more or

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2 less the same, what we would want to do is ensure
3 that we have educational materials, opportunities to
4 learn more in multiple languages.

5 As I mentioned before, our advertising and
6 education campaign last spring featured materials and
7 ads in up to 25 languages. Potentially, we could
8 even expand on that if resources are met. And we
9 also worked with a number of community-based
10 organizations to help do education and outreach on
11 the ground. I would like to see an even greater
12 investment in that going forward. We were so
13 grateful that we were able to do it at all but with
14 more time and more runway. You could really start
15 hammering that information home much earlier. And
16 that is something that we worked very closely with
17 the Mayor's Office of Immigrant Affairs on this past
18 year, just one piece of our work, which I'm
19 especially proud of was a We Speak video which is
20 actually geared towards New Yorkers who are learning
21 English. And it was a video about rank choice
22 voting, featuring an immigrant family and it's just
23 beautiful. I'd be happy to share it.

24 So, things like that. More, I think more of the
25 same, more partnership with CBO's. I mentioned our

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2 work with NYC Votes. The New York City Campaign
3 Finance Board and with them, we have a coalition or
4 consortium of more than 50 organizations that is
5 constantly growing. So, we would continue our work
6 with them to help get the word out to all New York
7 voters.

8 CHAIRPERSON LEVIN: Uhm, so, beings it's kind of
9 step back, taking a kind of a broader perspective
10 here, uhm, and following up on your testimony and
11 your response to Council Member Rodriguez's question.
12 You know, does and kind of in light of Council Member
13 Rodriguez's point, which is that you know we are in
14 the waning days of this you know, of this
15 administration and this Council. So, you know
16 January 1st, everything resets. New Administration,
17 new Council, bill has to get reintroduced, a new
18 sponsor. Council Member Rodriguez is gone, I'm gone,
19 Council Member Cabrera is gone. We're all out.
20 Council Member Yeger will still be here but the rest
21 of us are going to be long gone.

22 So, uhm, the question is does this Administration
23 — do you want to do this? This is a — this is a big
24 deal. This is a big bill that would have you know if
25 you just stop to think about it for a second. What

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2 this would mean for immigrant New Yorkers. You know,
3 possibly a million immigrant New Yorkers who are the
4 life blood of this city. You know, in every borough,
5 in every community uhm and is the future of this
6 city. The future of this city are immigrant New
7 Yorkers.

8 Uhm, and you know people that have come here from
9 nondemocratic countries, that may not have a real
10 functional vote in their countries that they are from
11 and they came here. Maybe some of them had a great
12 risk to themselves and their families uhm or you
13 know, left behind everything they knew. We think
14 about what some of the people that are escaping
15 Afghanistan over the last couple of months and what
16 they've had to give up. Everything in their lives.
17 Careers, you know people that were doctors then are
18 going to be coming here without any assurance of
19 being able to continue their professional careers.
20 Maybe coming here with nothing, nothing, the clothes
21 on their back. You know, the money in their wallet.

22 Does the Administration want to do this bill and
23 work with the Council to get this bill passed in the
24 remaining three months that we have here? Because
25 it's kind of now or never. I mean at least for us.

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2 Maybe the next Council and the next Administration
3 could do it but if we're going to do it, it's now or
4 never.

5 LAURA WOOD: I do appreciate — it is September
6 20th; I am well aware of that date and you know we
7 have had a lot of challenges that we've faced in the
8 past 18 months. What I can say right now is that I
9 completely hear you. We are here today. We welcome
10 the conversation. There is still time left. It's
11 not you know, it's not December 31st. It's September
12 20th, so that's good and uhm, we think that this
13 deserves more conversation.

14 What I think we don't want is to set up a system
15 that is designed to fail. And we want to make sure
16 that we're on solid ground both from a policy
17 perspective but also from a legal one. And so,
18 that's why I can't really say more today on that
19 ultimate question.

20 CHAIRPERSON LEVIN: Okay, but that's a question
21 that's got to be answered soon. You know, I mean,
22 we're having the hearing today, so it's a live bill.
23 It could get passed before the end of the year and
24 the question is, I mean, if we're going to uhm, you
25 know if we're going to work on this bill between now

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2 and the end of the year, if we're going to work to
3 pass it, we got to kind of put our shoulders to the
4 grindstone and do some real work on it. So, that's
5 kind of the big question that I have coming out of
6 it.

7 I want to just actually just pass it over to MOIA
8 for a second and just talk about what MOIA sees in
9 terms of kind of the risks that have been talked
10 about today. Uhm, few immigrant New Yorkers if we
11 were to pass this legislation and this kind of idea
12 that people could be at risk for mistakenly voting in
13 a state or federal election and you know, who knows
14 you know maybe we have some very uhm, mean spirited
15 uh, federal or state administration that wants to go
16 after people and charge them criminally like they did
17 I think of a woman named Rita Ortega in Fort Worth
18 who was charged criminally for voting as a noncitizen
19 and by the Fort Worth District Attorney and the
20 Attorney General of Texas. I will look up their
21 names, so that I can call them out by name. She
22 served prison time and is now in the process of being
23 deported. An absolute travesty of justice. What
24 would MOIA be doing to make sure that we mitigate any
25

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2 of those risks in the worst case scenario that
3 something like that were to happen to a New York?

4 RAQUEL BATISTA: Sure, so thank you for that
5 question. I think that is of utmost concern for us
6 here at the Mayor's Office of Immigrant Affairs.
7 Uhm, if this bill were to pass, of course we would
8 work on making sure that there is privacy when it
9 comes to the issue of ones status of whether they are
10 a citizen or a legal permanent resident. And we
11 would take the upmost care with that information.

12 But that is something that is very much a concern
13 for us. As you just mentioned the example of that
14 case and we have seen you know, in you know in New
15 York City, the case of people whether they have
16 claimed and actually gotten citizenship. Some people
17 actually have gotten even into elected office and
18 then taken out because of issues like this.

19 And so, we just want to make sure that there is
20 that level of uhm, care when it comes to assuring
21 that someone is not going to get in trouble because
22 they are a registered voter and they you know vote in
23 the wrong election.

24 CHAIRPERSON LEVIN: By the way, the woman in Fort
25 Worth, Rosa Maria Ortega. The Attorney General in

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2 Texas is Ken Paxton who prosecuted her along with
3 Sharon Wilson who is the Tarrant County District
4 Attorney. I remember tweeting at the Tarrant County
5 District Attorney's Office at the time and them
6 passing the buck over to the Attorney General in
7 Texas. So, they didn't even have the courage to
8 stand up for their unscrupulous prosecution. It's a
9 travesty but something that you know, we would want
10 to be on guard against in the case of that happening.

11 Are there federal immigration risks that MOIA
12 would foresee in terms of peoples immigration status,
13 if they were to mistakenly vote in a federal
14 election? I mean, is that kind of thing that could
15 potentially lead to a risk of deportation?

16 RAQUEL BATISTA: I mean that could come up but as
17 you may know when one applies for a citizenship,
18 there is the question of if you've ever represented
19 yourself as a U.S. citizen and if you've ever voted
20 in a federal election. So, that it could potentially
21 become an issue for someone once then when they go
22 and apply for citizenship affirmatively.

23 CHAIRPERSON LEVIN: Uhm, okay. I don't know if
24 any of my colleagues have any further questions. If
25 Council Member Rodriguez has thought of any other

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2 questions he wants to ask before we let the
3 Administration go or Council Member Yeger?

4 COMMITTEE COUNSEL: Chair, it looks like Council
5 Member Rodriguez has his hand raised.

6 CHAIRPERSON LEVIN: Council Member Rodriguez.

7 COUNCIL MEMBER RODRIGUEZ: Yes. As everyone
8 knows, I have my personal interest because I am one
9 of those 100,000 New Yorkers who live in the shadow,
10 who pay their taxes, who contribute to the city, who
11 become teachers, lawyers, architects, elected
12 officials and their right has been denied.

13 So, one thing that I got to say is about nothing
14 prohibits anyone to try to vote without being a
15 citizen today because anyone can get a form at the
16 voter election, fill out a form and mark that they
17 are a citizen even though they are not, right? So,
18 that's a crime. So, as we as a city have been
19 educating all the voters, so that they know who has
20 the right to vote and people know that there's a
21 form. People know that I could go out and say, I
22 have my green card from as I say, '83 to 2000. It is
23 a crime to register to vote. I never thought about
24 it. I made my contributions a different way because
25 New York City through the Board of Elections and the

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2 Immigrant Rights group, been doing their job.

3 Letting people know who have the right to vote.

4 So, our people are not stupid. That they are
5 saying, you have the right to vote in local election
6 if you have green card. So, we questioning the
7 smarts of people? Like, this institution that you
8 have seen in the screen right now, from the
9 Immigration Coalition and more than 65. As a
10 Commissioner for Immigration, she did it when she
11 used to run the Northern Manhattan Immigration
12 Coalition. We have been spending time, resources,
13 human capital, educating our people.

14 So, let's not get into like - this can be one or
15 two cases of someone that doesn't have the right to
16 vote in federal election and tried to do so. When
17 you do policy, you focus on the larger group. This
18 is about a million New Yorkers that pay their taxes,
19 that their right have been denied. This is about
20 restoring the right of people to vote in New York
21 City and they had the right before the 1900's when
22 this city was mainly White.

23 This is about addressing, giving a voice to
24 underserved community. That being infected and
25 dealing with a lot of pandemic besides COVID, because

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2 they don't have a voice. Just look up. Look at it,
3 make sure that you have, every one say the same the
4 same thing. Before they made a decision recently to
5 allow the city to vote in the local election, their
6 constitution say that those that had the right to
7 vote were citizens. But they realize that it didn't
8 talk about the noncitizen and they passed a law.
9 We're going to behind Vermont? You want to bring
10 question about challenges? If someone tried to vote
11 in a different election, so to Maryland. Since 1990,
12 executing the same law that I know that we would pass
13 in New York City.

14 So, I think that when it comes to the case, the
15 case is very clear. And again, you know Laura, I
16 know where your heart is and I know that big
17 responsibility that you have. Because your life has
18 been dedicated to expand democracy in New York City.
19 But this is our new, a new discussion. That's my
20 only thing. This is not a new discussion. This is
21 something that we've been discussing for years and
22 years. And I leave my first four years serving on
23 the Council where we were not able to accomplish a
24 lot of things, I was only able to pass one Resolution
25 in my first four years.

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1 In the second term, I passed 36 laws, 36. And
2 most of the laws that I tried to pass, I was told
3 that I couldn't do it. So, come on, let's get it
4 done. A few weeks, a few months, those of you that
5 have not been a part of this discussion for a year,
6 let's get the briefing. But this is the time for us
7 to pass this bill.
8

9 CHAIRPERSON LEVIN: Okay, Council Member
10 Rodriguez, thank you very much. And with that, going
11 once, going twice, Council Members to ask questions
12 to the Administration. Seeing none, I thank you very
13 much for your time Ms. Wood, Ms. Batista, Mr. Ochoa.
14 As I said before, uhm, you know if we're going to do
15 this, you know time is of the essence. And uhm, we
16 should just as a parting thought to you. You know we
17 should not think that - we shouldn't take it for
18 granted that the next administration or Council will
19 you know, will do this if we don't. If we believe in
20 the policy, if we believe in advancing this, if we
21 believe in this legislation, uhm, then we should
22 actually put in the work to do it over the next three
23 months.

24 Uhm, and with that, I thank you and we'll, I'm
25 sure that you will be speaking closely with the real

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2 Chair of this Committee Fernando Cabrera and uh, bill
3 sponsor Ydanis Rodriguez. Thank you.

4 COMMITTEE COUNSEL: Thank you Chair. We will now
5 move on to the next panel which will consist of
6 representatives from the New York City Campaign
7 Finance Board. Our panelists will include Assistant
8 Executive Director for Public Affairs Eric Friedman
9 and Deputy Director of Public Affairs Amanda Melillo.

10 Before we begin testimony –

11 CHAIRPERSON LEVIN: Oh, I'm sorry, excuse me, I'm
12 sorry Counsel, before we let them go, I'm sorry,
13 Council Member Rodriguez does have – I just got a
14 text from him, has one more question. Council Member
15 Rodriguez, do you have one more question before we
16 let everyone go here?

17 COUNCIL MEMBER RODRIGUEZ: I do Chair and you
18 know I just want to end reading – I want to end
19 reading this. New York City must allow permanent
20 residents and those of the right to work here to vote
21 in municipal elections. I was proud to be a part of
22 the kickoff of our city, our vote campaign and I
23 continue to support the passage of Intro. 1867.
24 Democracy should always be striving to be more
25 inclusive and more representative of their

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2 constituents. Expanding the right to vote to people
3 who live here, work here, raising family here and
4 collectively pay billions of dollars in taxes here,
5 should not be controversial. It should be the vote
6 you take in your career on the City Council. When we
7 expand engagement in our democracy, our city is a
8 stronger, safer, and more responsive to the need and
9 dreams of its residents. I urge you to pass Intro.
10 1867 to give all New Yorkers a voice in the greatest
11 city in the world. This is the statement of the
12 Brooklyn Borough President and hopefully new Mayor
13 Eric Adams.

14 CHAIRPERSON LEVIN: Thank you very much Council
15 Member Rodriguez. Uhm, okay, I'll turn it back over
16 to Committee Counsel.

17 COMMITTEE COUNSEL: Thank you. We'll now move on
18 to the panel with the New York City Campaign Finance
19 Board. Before we begin, I'll administer the oath.
20 Assistant Executive Director Friedman, Deputy
21 Director Melillo, please raise your right hand. Do
22 you affirm to tell the truth, the whole truth and
23 nothing but the truth before this Committee and to
24 respond honestly to Council Member questions?
25 Assistant Executive Director Friedman?

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ERIC FRIEDMAN: Yes, I do.

COMMITTEE COUNSEL: Deputy Director Melillo?

AMANDA MELILLO: Yes, I do.

COMMITTEE COUNSEL: Thank you. You may begin your testimony.

ERIC FRIEDMAN: Thank you. I want to thank the Acting Chair Council Member Levin and members of the New York City Council Committee on Government, Governmental Operations for the opportunity today to testify on Intro. 1867. Which would allow certain city residents to vote in municipal elections. And Intro. Number 2316 which would require a representative of city agencies to be in attendance for the entirety of a hearing where they are required to testify.

Again, I am Eric Friedman, Assistant Executive Director for Public Affairs at the New York City Campaign Finance Board and with me today is Amanda Melillo, Deputy Director for Public Affairs. As you know, the Campaign Finance Board is mandated by the New York City Charter to encourage and facilitate voter registration and voting by all eligible residents of New York City, but particularly among underrepresented populations. The CFB is often

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2 called before the City Council to testify on relevant
3 campaign finance and voting legislation, and we are
4 happy to offer input on both bills today.

5 I want to briefly address Council Member
6 Salamanca's bill, Intro. 2316. We are supportive of
7 measures to increase transparency and hold government
8 officials accountable to the public they serve. It
9 is already our agency practice to stay for the
10 entirety of the committee meeting in case Council
11 Members who were not present at the reading of oral
12 testimony have questions for members of our staff.

13 We believe it is incredibly important to speak to
14 our work and provide information where it is needed
15 so the Council can conduct their oversight role
16 effectively and efficiently. Further, it is
17 important to hear from advocates and others who
18 provide useful information to the Council. We
19 strongly encourage everyone who is part of the
20 oversight process be present for the entire hearing.

21 We are also supportive of the principles
22 underlying Council Member Rodriguez's bill, Intro.
23 1867, which would allow lawful permanent residents
24 and those holding work authorizations to vote in
25 municipal elections. New York City is and always

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2 will be a city of immigrants. Our door is always
3 open. It is what makes our city great. Every New
4 Yorker who lives and works in our city contributes to
5 the vitality of our communities. Every New Yorker
6 who lives and works here should have a say in who
7 represents them in government and have a voice on the
8 policy issues that impact their daily lives.

9 Likewise, elected officials should be held
10 accountable to represent all New Yorkers, regardless
11 of their citizenship status.

12 By our count, this bill would give a voice to
13 more than 825,000 people who are already part of our
14 city's civic life. We are prepared to do our part to
15 enact this bill should it be passed. We do want to
16 highlight several serious issues concerning potential
17 unintended consequences of this legislation that
18 could prove harmful if they are not addressed. The
19 bill should not move through the legislative process
20 before these certain questions can be asked, can be
21 answered excuse me, about the bill's implementation.

22 We have several questions related to immigration
23 law that are outside our scope of expertise but that
24 we believe should also be further researched by the
25 Council. Our first concern is the privacy and safety

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of individuals with non-citizen immigration statuses. In an era where immigration policy, as we've been discussing today, is front and center. We want to ensure this legislation does not make it easier for any administration, at the local, state, or federal level, to endanger the rights of vulnerable New Yorkers. The voter file is public information, it contains a person's name and address, which could be used for individual or targeted harassment.

We urge the Council to consider this possible consequence and take steps to ensure that the voter file is not used with malicious intent. We are also concerned that a municipal voter could inadvertently commit a felony by voting a ballot that lists state or federal races. A simple poll worker error like, giving a municipal voter the wrong ballot at a poll site, could potentially put that voter at risk.

Language within the State's Automatic Voter Registration law provides legal cover for persons who are inadvertently registered as voters, but we are not certain that the same degree of protection can be applied in a situation where a voter actively votes a ballot, even if it is an inadvertent error. There are other questions outside of our particular

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1 expertise about the bill's interaction with
2 immigration laws, such as: Could this bill impact a
3 person's citizenship status or their ability to vote
4 in their country of origin? To provide assurances to
5 the intended beneficiaries of this legislation? We
6 urge the Council to consult experts in immigration
7 law to ensure all possible scenarios are addressed.

8 We also have questions related, related questions
9 uhm, about how the bill would be implemented. How
10 would the Board of Elections confirm a person's
11 immigration status if it is valid, or be notified if
12 that status is revoked or expires? Would an entirely
13 separate set of ballot styles be required for
14 municipal voters? We heard from the Board of
15 Elections earlier on a few of these question and just
16 as a side note, I'm very happy to see Mike Ryan
17 healthy and back with us. We hope the Boards input
18 is taken into consideration, since they are the body
19 that administers elections and manages voter
20 registration. We defer to the Board to discuss
21 specific concerns related to implementation and how
22 this bill would interact with existing state and
23 federal election laws.
24
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2 We raise these questions in large part because
3 the details of implementation will drive how we
4 conduct the voter education component that support
5 it. From a programmatic perspective, this
6 legislation would have a significant impact on the
7 Campaign Finance Board's Charter mandate to engage
8 and register underrepresented voters. The scope of
9 our outreach will necessarily increase with the
10 prospect of adding nearly one million newly eligible
11 voters to the voter rolls for municipal elections.

12 To successfully reach this new population and
13 inform them of their rights, an extensive ground game
14 involving collaboration with community-based groups
15 would need to be paired with an investment in an
16 advertising campaign that would amplify the reach of
17 these education efforts. To achieve the anticipated
18 scale, together we should look to the Census effort
19 as a model for engaging the non-citizen population.
20 Different strategies are needed than those we have
21 traditionally used to reach currently registered
22 voters. A successful campaign would need to rely on
23 qualitative research, where we would hear from
24 noncitizens directly about potential barriers they
25 face, concerns they have, and what would help them to

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2 overcome those concerns so they could register and
3 vote.

4 This research should drive an advertising
5 campaign that encompasses traditional advertising
6 through television, radio, newspapers, and digital
7 channels, but with a greater investment in community
8 and ethnic media to get the word out. This should
9 complement efforts across the city to engage people
10 in their communities, using tools such as
11 presentations and direct person-to-person contact.

12 We would also need to consider how to design the
13 voter experience to minimize confusion. This bill
14 would create a new type of voter that would register
15 with a different voter registration form. We would
16 need to retool our online resources to create a way
17 to ensure voters are served the right information,
18 without running the risk that a municipal only voter
19 would use a state registration form meant for
20 citizens, or vice versa. In addition to helping
21 voters locate the correct registration option, we
22 would also need to deliver different types of
23 information to each kind of voter. For example, we
24 would need to serve customized information to a
25 municipal only voter audience, on the website and in

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2 the online Voter Guide, and email or text message
3 election alerts. We would also want to explore
4 providing more in-depth translation of information
5 that we put on our social media platforms.

6 In addition to the Voter Guide information on our
7 website, we mail a printed Voter Guide to every
8 registered voter in advance of municipal elections.
9 Our Voter Guide is printed in several editions,
10 targeted to each voter's specific district. It is
11 our goal to give every voter the information they
12 need to cast an informed ballot on Election Day.
13 Mailing print Voter Guides to more voters comes with
14 an additional printing and postage cost that depends
15 on how many new municipal voters register. To reduce
16 confusion for municipal voters around which offices
17 they are qualified to vote in, we anticipate the need
18 to create voting instructions specific to municipal
19 voters. We could provide a separate mailing for
20 those voters or create an entirely new set of printed
21 voter guides that cater specifically to this
22 population.

23 We are also the agency mandated to provide
24 education and outreach on ranked choice voting, which
25 will be used in the rapidly approaching 2023 City

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2 Council elections. In 2021, we accomplished our
3 education mandate through coordination with citywide
4 nonprofits, neighborhood and community groups, and
5 other government agencies. We heard from these
6 groups that our materials would be able to reach more
7 New Yorkers if they were translated into more
8 languages, which we did not have the capacity to
9 accommodate.

10 To meet the needs of more New Yorkers, we suggest
11 that the legislation include additional language
12 access requirements. The CFB currently translates
13 our website and voting materials into the four
14 federal Voting Rights Act languages: Spanish,
15 Chinese, Korean, and Bengali. In our experience
16 working with communities of naturalized citizens,
17 many voters prefer to receive election materials in
18 the language they feel most comfortable speaking in,
19 which may not be English. This means the diversity
20 of languages spoken by New Yorkers should be
21 represented in elections communications and should
22 include written translations and in-person
23 interpreters.

24 By expanding language translations of our voting
25 materials, we can also more effectively reach newly

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2 naturalized citizens who are also a historically
3 underrepresented group. Translating the Voter Guide,
4 website, and our social media accounts to additional
5 languages will come at an additional cost, but it
6 will be more than worthwhile to provide better
7 service to voters.

8 Lastly, we would also suggest that the Council
9 consider making the implementation date for the
10 legislation effective January 1, 2023. A policy
11 measure with so much at stake requires adequate time
12 to implement and ample time to educate newly
13 registered voters. This date will also coincide with
14 the 2023 City Council redistricting elections. New
15 York City would be the largest jurisdiction by far to
16 expand the franchise for local elections to lawful
17 permanent residents. Per our responsibilities to
18 inform New Yorkers about their elections, we hope to
19 remain engaged with the Council as this bill goes
20 through the legislative process.

21 Specifically, as part of our Charter mandated
22 Voter Analysis Report, we hope to include information
23 in next year's report due in April, should Intro.
24 1867 be signed into law. Through our matching funds
25 program, and our NYC Votes initiative, the Campaign

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2 Finance Board is and continues to be dedicated to
3 ensuring all New Yorkers have a say in our democracy.

4 We thank the Council for considering the issues
5 we have raised here today and for the opportunity to
6 testify and be part of this conversation. We are
7 happy to answer any questions you might have.

8 CHAIRPERSON LEVIN: Thank you so much. Do any of
9 my colleague have questions for the CFB? Okay, I
10 just have a handful of questions here. Uhm, and if
11 this is redundant to your testimony, just feel free
12 to say that. If this bill were enacted, how would it
13 effect CFB's distribution of Voter Guide? Would a
14 separate guide for noncitizens be required,
15 noncitizen voters? How would this effect the cost of
16 producing and distributing the Voter Guide? And if
17 possible, if you can give a breakdown of the cost
18 impact in terms of printing, mailing, translation,
19 etc.?

20 I think here for the Council, if we can move
21 forward and we need to produce a fact statement, we
22 want to take that information right now.

23 ERIC FRIEDMAN: For certain and so, I think as I
24 continue the testimony, you know we certainly
25 anticipate additional costs and we're not here

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2 prepared with particular dollar amounts today but
3 happy to consult further with the Council as the bill
4 moves through the legislative process.

5 Uhm, you know, as I outlined, it's certainly
6 possible that we would consider a separate addition
7 of the Voter Guide for this new class of voters in
8 order for the bill to go forward. You know I think
9 those decisions you know have to require a little bit
10 more conversation on our side but I think you know,
11 what is clear to us from the legislation is that and
12 from the nationwide discussion around immigration.
13 We need to work really hard to make sure that the
14 folks that are effected by this bill, have the
15 information they need to be able to vote safely. And
16 to exercise their rights further and ensure that they
17 are not caught up in sort of inadvertently dangerous
18 behavior.

19 And so, again, if the bill goes forward, we are
20 ready and committed to making sure that that
21 information gets to voters.

22 CHAIRPERSON LEVIN: Do you have any suggestions
23 for improving the confidentiality provisions in the
24 bill?

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2 ERIC FRIEDMAN: You know that we're in an area
3 that's a little bit beyond the scope of our expertise
4 and we would you know, for the Board of Elections, as
5 they are the keepers of the voter rolls, you know we
6 can defer to them on some of those operational
7 considerations.

8 I think you know there's this tension here where
9 uhm, you know not just the CFB and other groups but
10 you know campaigns depends on having access to those
11 voter rolls. So, that they can do voter outreach and
12 ask voters for their votes. And so, whether you're
13 talking about a list of municipal voters or a list of
14 voters who are eligible to vote in state and federal
15 elections, those are going to be public.

16 And so, I think again, a lot I think there's some
17 more discussion needed about how we can best protect
18 the people who register as municipal voters. You
19 know, we've said and we've committed as a city you
20 know, that our city is a sanctuary, right? We're
21 dedicated to protecting people from all over the
22 world to come to New York and want to be a part of
23 the city life. You know, we were supportive of what
24 this bill is able to do and we want to make sure that
25 that promise is carried out.

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2 CHAIRPERSON LEVIN: Great. Are there any other
3 implementation challenges that you would like to
4 bring to our attention as you see that?

5 ERIC FRIEDMAN: Uhm, you know I think we've tried
6 to include as much as we can in our written testimony
7 but you know I'll kind of hand over to Amanda also to
8 see if there is anything else that she would like to
9 add to that question.

10 AMANDA MELILLO: I mean, yeah, I think we went
11 over that in our written testimony just in terms of
12 how we would want to think about designing the voter
13 experience to make sure that people are using the
14 right registration forms, they're getting the
15 information. I think this would just require some
16 research and some working with design experts to
17 think about how we can retool our existing materials
18 in order to really help people you know participate
19 in the correct ways and minimize confusion because I
20 think there's high potential for confusion here.

21 You know, I think one of the things that we've
22 been discussing a lot internally is about language
23 access specifically. And that's certainly something
24 that we would want to think about in terms of
25 expanding the languages that we translate into and

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2 also, what materials we translate into and that's
3 something we would want to work with the Council on.

4 CHAIRPERSON LEVIN: Right, okay, no, I greatly
5 appreciate it. I will just that you know, with 12
6 years of experience now working with the CFB, and I'm
7 saying this as somebody who is not running for
8 anything anymore. I don't have an open CFB account.
9 I'm not trying to create favor with CFB but I just
10 want to express my appreciation for CFB's commitment
11 to expanding democracy in New York City. You've been
12 an important player in that and in my book, you guys
13 are alright and I just want to thank you for all that
14 you do.

15 ERIC FRIEDMAN: Much appreciated. Thank you for
16 your service on the Council and sorry to see you go.

17 CHAIRPERSON LEVIN: Yeah, running off into the
18 sunset. Uhm, okay, if my colleagues don't have any
19 questions, Council Member Rodriguez? Council Member
20 Yeger? Questions for CFB?

21 COMMITTEE COUNSEL: Council Member Rodriguez has
22 his hand up Chair.

23 CHAIRPERSON LEVIN: Okay. Council Member
24 Rodriguez. You're up or do you need to unmute
25 yourself?

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2 COUNCIL MEMBER RODRIGUEZ: Okay, now it's fine.
3 Thank you Chair and thank you to both to Eric and
4 Amanda for you know giving your testimony based on
5 your own experience. And of course like, you know we
6 know that we have one of the best Campaign Finance
7 Board in the whole nation. And certainly, that makes
8 all of us that run to office being accountable, as it
9 should be. And to protect also you know the taxpayer
10 and to be sure that you know they educate, the
11 investment is made to do the education or work. Can
12 we agree that in New York City, we have a very low
13 turnout when it comes to election?

14 AMANDA MELILLO: Yes.

15 COUNCIL MEMBER RODRIGUEZ: And that it doesn't
16 hurt right to add a new group of voters that will
17 expand the level of participation? Is that something
18 that we can agree? And of course, I'm not asking you
19 the legal part. You know this is something that we
20 have to figure out but assuming that we pass it, that
21 you know, we heard from you guys. You know you had
22 the capacity, the men and women and the expertise who
23 you know, to address new challenges, to address with
24 new investment you know, any challenges that we can
25 have?

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2 In fact, isn't that — couldn't that be a good
3 thing for democracy if we are able to add new voters
4 to participate in the decision on how we elect
5 elected officials?

6 ERIC FRIEDMAN: Uhm, certainly. You know, look,
7 again, I'll kind of call back to what we said in the
8 testimony. You know our specific mandate is to
9 ensure that New Yorkers were under represented. You
10 know increase in our democracy in New York City. We
11 are required to find ways to help under represented
12 be better represented among those who are registered
13 to vote and those who vote.

14 So, yes, you know extending opportunity, join the
15 electorate. Making sure that we are communicating
16 with people to play an active role in the electorate.
17 All these are good you know and I think we have
18 again, we have questions about and just making sure
19 that we are doing it in a way that honors our
20 participation and doesn't put people at risk. But
21 you know we all serve better when government is most
22 representative of the people who live here. And so,
23 those are values that we would govern through and
24 through. Amanda, do you have anything to add?

25

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2 AMANDA MELILLO: I would love to add to that
3 because I think one thing for the Council to consider
4 is, you know we're talking about large numbers. You
5 know, 825,000 people who could potentially be
6 impacted by this bill and suddenly be able to
7 register to vote. You know, one of the things we've
8 been discussing internally is that this would really
9 need to be paired with an investment in making sure
10 that they know that they can get registered, that
11 they can participate. You know, this came up earlier
12 in the hearing, when people were asking about usage
13 rates in other cities that allow noncitizens to vote.
14 So, Takoma Park Maryland is one of I believe 12
15 jurisdictions around the country that allow
16 noncitizens to vote in all municipal elections. Not
17 just school board elections.

18 Uhm, we did get in touch, not with Takoma Park
19 with Hyattsville Maryland, which is about a similarly
20 size city. They have about 12,000 registered voters
21 and they only have 250 voters who are noncitizens but
22 legal permanent residents. So, that really speaks to
23 the scale of even if you make this available to
24 people, that doesn't mean that they know about it
25

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without that sort of investment by the city and making sure that they do.

You know, San Francisco, which is the city we often look to as another example, uhm, they have 500,000 registered voters in San Francisco. They allow noncitizens to participate in school board elections. They only have 36 noncitizen residents signed up to participate in school board elections.

So, when we're talking about opening the doors and allowing all these people to vote, I think it is going to take a real effort to make sure that there is significant public education around it.

COUNCIL MEMBER RODRIGUEZ: Yeah, and of course like, when I used to be a college student, I thought that I would be able to make the revolution of changing this society and be able to bring other changes that I believe on when it comes to social justice, but now in my grey hair, the age of 56, now I see that pilot project has its merit.

So, I think that even though we look at those two Maryland— or more important, we have to be looking about that could be pilot project. Because the question is, you know, how can we restore the right and that's my thing that I even tried to make my case

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2 to my colleagues, you can be on the different side of
3 this moment. This is a bipartisan. It's not about
4 democrats, it's not about the progressives, it's not
5 about the socialists. It's about giving the voice of
6 people that came from their journey. I have many of
7 them who live in Bennett Avenue.

8 So, this is about you know when I used to be
9 teaching at high school, the school that I was a co-
10 founder, there was a teacher Ms. Vatino(SP?). I
11 never saw Ms. Vatino as an immigrant because when we
12 look about this particular crew that will benefit, we
13 think about Latino's, Asian and Black. And Black, we
14 are thinking about the recent group, the recent
15 African that Council [INAUDIBLE 3:14:45] or that come
16 from Nigeria.

17 But this is about people that are Italian that
18 are Irish, that are Poland. They know that they are
19 from other places but that they are here in the City
20 of New York. That they are working — they have a
21 work permit to do the job that they pay the taxes.
22 We will be given those individuals a voice. And I
23 think that you know, when we already at the federal
24 law already has established. The state and the city
25

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2 have the right to decide who vote in the local
3 election.

4 New York City didn't require for people to be
5 citizens in the early voting process that we have.
6 Here we have this opportunity. Here we have voting
7 power 34 Council Members. Here we have four Borough
8 Presidents except the one from Staten Island. Here
9 we have the Public Advocate. Here we have the
10 Comptroller. Here we have what we hope is going to
11 be the new Comptroller and the new Mayor.

12 So, I hope again that working among all of us, we
13 can be able to figure out any piece that is related
14 to how we still can make it better. And I think that
15 adding nearly one million voters, doesn't necessarily
16 mean all will come out to vote. That falls on us to
17 educate and get people out to vote. But I want to
18 emphasize that adding voters, it never [INAUDIBLE
19 3:16:08] our democracy. And I don't know, how do you
20 see from the Campaign Finance Board role if we are
21 able to pass this bill; that I hope that we will.
22 How do we see it as an opportunity, as we should be
23 adding more resources for you guys to work with all
24 institutions that are here and others who are not.
25 That have been the voice of immigrants to educating.

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2 Because I want to bring back and I said before, I
3 hope that nobody bring the question about but will
4 happen if someone register to voting in the federal
5 election.

6 Like, Campaign Finance Board right now, you know,
7 if anyone decide to run say, who can contribute to a
8 candidate? The only thing that the person have to do
9 is to sign it. They don't have to submit any proof.
10 The Campaign Finance Board run the audit and they
11 find out if there is any question or anything, then
12 they call candidates whatever.

13 When anyone register today to vote, not anyone
14 can go out and try to register even though they are
15 green card holder, but people are educated. New York
16 City is doing a great job to be sure that New Yorkers
17 know that in order to be very sure today, they have
18 to be citizens. Because the constitution of New York
19 State say that you have to a citizen to vote. And I
20 said again, while the constitution provide
21 opportunity for us, it doesn't say if noncitizen why
22 can't be registered to vote beside the citizens. And
23 again, this is like a legal part that we hope that we
24 will you know deal with but I want to bring to the
25 attention of everyone that I know that if we move

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2 this bill, you guys from the Campaign Finance Board,
3 we have a major role to play when it comes to work
4 with the rest of New Yorkers to educate the voters.

5 ERIC FRIEDMAN: I'm sorry, I'm not sure if there
6 was a question in there but I'll agree that you know
7 I think as we've said and I think we do have a lot of
8 work ahead of us if and once this bill passes to
9 prepare this new community to you know, fully take
10 advantage of the rights that we'd be offering for
11 sure. And we absolutely stand ready to participate.

12 COUNCIL MEMBER RODRIGUEZ: Thank you.

13 CHAIRPERSON LEVIN: Okay, uhm, okay seeing no
14 other questions for CFB, I will let you guys go.
15 Thank you very much for your time.

16 AMANDA MELILLO: Thank you.

17 COMMITTEE COUNSEL: Thank you Chair. We'll now
18 turn to public testimony. Please be advised that for
19 this portion of the hearing, we will be calling on
20 individuals one by one to testify. Each panelist
21 will be given three minutes to speak. Please begin
22 once the Sergeant has started the timer.

23 Council Members who have questions for a
24 particular panelist should use the Zoom raise hand
25 function and I will call on you after the panelist

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2 has completed their testimony. For panelists, once
3 your name is called, the Sergeant will unmute you and
4 start the timer. Please wait for the Sergeant to
5 start the timer before you begin.

6 I'd now like to welcome Felicia Singh to testify
7 followed by Molly Sellner and then Rodrigo Camarena.
8 Felicia Singh, you may begin upon the Sergeants
9 announcement.

10 SERGEANT AT ARMS: Time starts now.

11 FELICIA SINGH: Good morning Chair and members of
12 the committee. I am Felicia Singh, Democratic
13 Nominee for the 32nd City Council District. It is an
14 honor to testify on behalf of Intro. 1867, to expand
15 voting rights in New York City elections to nearly
16 one million noncitizen New Yorkers.

17 Voting rights are very much tied to the wellness
18 and healing of our communities. The
19 intersectionality between who can and cannot vote is
20 directly correlated to who progresses and who is left
21 behind in our communities. We are the greatest city
22 in the world, a sanctuary city, a city of dreams and
23 also a place where we leave behind nearly one million
24 people. It's time we close this gap of exclusivity.
25

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2 I was raised in South Queens, home of Little
3 Guyana, Punjab Ave and my own neighborhood of Ozone
4 Park where residents immigrate from places like
5 Sylhet, Bangladesh with hopes of a better life.
6 Indo-Caribbeans, Punjabis, and Bangladeshis have
7 contributed to our city for decades and still
8 struggle to have equal opportunities for
9 representation. Over the years, I've done voter
10 registration, led a civic association, and helped
11 folks apply for their citizenship. I cannot forget
12 the disappointment on our neighbors faces when they
13 talk about how it feels to be unable to participate
14 in democracy. Noncitizen New Yorkers count for the
15 Census every ten years and then they are cut into or
16 out of gerrymandered districts.

17 The hardship of being an immigrant is felt
18 devalued by the inability to vote for who makes
19 decisions about their livelihoods and their lives.
20 There is no such thing as immigration reform without
21 the ability to vote. Noncitizens clean our streets,
22 they drive us around, they mow our lawns, serve us
23 our breakfast, wash our clothes, own 52 percent of
24 our local businesses and pay taxes. The pandemic has
25

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2 shown us that our immigrant community members are the
3 backbone of the city and essential.

4 Expanding voting rights is crucial in moving
5 towards a post-pandemic New York City. While voting
6 rights are being threatened by racism and bigotry
7 across this country, it's time for New York to set an
8 example, take a stand to finally give the power of
9 the vote to all New Yorkers. Thank you.

10 CHAIRPERSON LEVIN: Thank you so much Ms. Singh.

11 COMMITTEE COUNSEL: And now, I'd like to welcome
12 Molly Sellner Harris to testify. After that, I will
13 be calling on Rodrigo Camarena and then Olivia
14 Adechi. Molly Sellner Harris, you may begin upon the
15 Sergeants announcement.

16 SERGEANT AT ARMS: Starting time.

17 MOLLY SELLNER HARRIS: Thank you. We are
18 submitting this testimony on behalf of the New York
19 Chapter of the American Immigration Lawyers
20 Association AILA, the nation's largest professional
21 organization of immigration attorney's.

22 My name is Molly Sellner Harris and I am the Co-
23 Chair of the Committee on Media & Advocacy Committee
24 for the New York Chapter of AILA and I thank you for
25 the opportunity to address the Committee on

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2 Governmental Operations regarding the proposed
3 legislation, Intro. 1867, a bill allowing for lawful
4 permanent residents in New York City to vote in
5 municipal elections.

6 AILA has over 17,000 members nationwide, with
7 more than 1,700 members in New York whose practices
8 span the entire scope of immigration law.

9 I am reducing my oral testimony and I have
10 written, it's a little bit longer. Because of our
11 knowledge, experience and expertise in immigration
12 law including dealing with adjudications of
13 naturalization applications by the United States
14 Citizenship and Immigration Services CIS, we want to
15 share our thoughts on this proposed legislation. I
16 know people mentioned the 12 other municipalities in
17 the United States that allow noncitizens to vote but
18 as far as I understand, San Francisco being the
19 largest of them all, they are not allowing school
20 board elections – they have not implemented them
21 until November 2022, which will be the first time.
22 That is my understanding.

23 Council Member Ydanis Rodriguez, when he
24 introduced the bill back in January 2020, spoke
25 passionately about his own journey as a long time

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1 lawful permanent resident, paying his taxes and
2 helping out on many local political campaigns. That
3 same day Council Member Carlos Menchaca also spoke in
4 support of this bill, stating, "This is gonna be a
5 complicated conversation to restore those rights and
6 to allow for our city to embed that voice into our
7 municipal elections." Yes, it's a complicated
8 conversation. We wholeheartedly agree at the
9 enfranchisement of legal immigrants on local matters
10 gives them an inclusive voice in their communities on
11 issues that most affect their day to day lives. It
12 provides a more equitable representation of those who
13 live in New York City. But at the same time, we have
14 serious concerns that the actual practice of
15 noncitizens voting locally could lead to the
16 deniability of the ability to natural – their denial
17 of their ability to naturalize and potentially make
18 them vulnerable to removal from the United States.

19
20 And as we – its been addressed before, the
21 question on the naturalization application, have you
22 ever claimed to be a United States Citizen? Have you
23 ever registered to vote in a federal, state or local
24 election in the United States? Have you ever voted
25 in a federal, state or local election?

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Also, I want to address that Section 237 A6A of the Immigration Nationality Act, 8 USC 1227 states, any alien who votes in violation of any Federal, State, or local constitutional provision, statute, ordinance, or regulation is deportable.

SERGEANT AT ARMS: Time expired.

MOLLY SELLNER HARRIS: Yeah, I'll be quick and I'll just say the challenge before this Council and subsequently for the New York City Board of Elections is twofold. First, you have to provide enough budgetary, uhm, budget to train and educate everyone.

Let me just say one more thing that's really, really important that has not been addressed and that there must be addressing CIS staff and training for the judicators who will get these questions and they will be the ones deciding and where they'll be providing - I'm just throwing off the - They'll be sending these denials to the legal department at the ICE, Immigration and Customs Enforcement and putting them into proceedings for deportation and there needs to be some addressing of that. Because I do think it's not going to be just a few, I think it's going to be a large number of immigrants who could be

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2 subject to uhm, criminal immigrant consequences.

3 Thank you.

4 CHAIRPERSON LEVIN: Council Member Rodriguez, do
5 you want to say something?

6 COUNCIL MEMBER RODRIGUEZ: Yes, I do.

7 CHAIRPERSON LEVIN: Okay.

8 COUNCIL MEMBER RODRIGUEZ: Yes, first of all no
9 one is alien. We have people that are citizens. We
10 have people that have green card holders and we have
11 people that are undocumented. And the second thing
12 is someone that has green card, I am smart enough as
13 my brothers and sisters are to know where they can be
14 registered to vote.

15 So, as I have been careful in '83 to 2000, when I
16 became a citizen in 2000, I also knew that I couldn't
17 register to vote in any federal election or in any
18 election because I was not allowed to do it. So, our
19 people are smart. Our group, those in voting rights
20 and immigrant right, they will do the job and that's
21 all I wanted to add.

22 CHAIRPERSON LEVIN: Okay, uhm, I have a few
23 questions if I may for Ms. Harris. Uhm, First of
24 all, to what extent do current visa backlogs delay
25 U.S. citizenship for those who wish to naturalize?

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2 MOLLY HARRIS: You can hear me? I don't know.

3 CHAIRPERSON LEVIN: Yes.

4 MOLLY HARRIS: Really good question. It's
5 serious right now because of the pandemic has really
6 set everything back. I can't tell you. You can go
7 online I think it's uhm - to apply for citizenship
8 right now, it's probably over a year if not up to two
9 years just to get your interview and to get sworn in.

10 So, it's pretty significant. I would say uhm,
11 you probably won't - if you apply now, you probably
12 won't - you may not be able to vote in the next
13 federal election. But definitely not in 2022 but who
14 knows for next presidential.

15 CHAIRPERSON LEVIN: Are there any groups of
16 noncitizen individuals who you think should have the
17 right to vote in local elections who do not qualify
18 under this bill as municipal voters or conversely,
19 are there any groups who do qualify as municipal
20 voters under this bill that in your opinion should
21 not be voting in a local election?

22 MOLLY HARRIS: You know it's funny, I wasn't able
23 to really give my full testimony and I hope you all
24 get a chance to read it. I really, in my other life,
25 I am a very much a member of a giving circle who does

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2 a lot of like voter protection. I was actually in
3 the Dearborn Michigan in 2020 being a voter, you
4 know, making sure people can vote. So, I'm extremely
5 supportive of that and I also did mention that you
6 know, I want to make it clear that my effort, even we
7 want to state our testimony is not an effort to
8 marginalize the voices of noncitizens but a request
9 to protect the ability of them to become U.S.
10 Citizens in the future.

11 I don't want to speak to whether or not
12 undocumented versus documented. I think you know
13 obviously in municipal elections have been their
14 voice for you know - pay taxes, everything. I super
15 support it. I just think the roll out will cause so
16 many more immigrants to actually lose their voice.
17 They'll lose their voice by not being able to become
18 citizens and they'll be deported. But it won't be
19 just one or two.

20 CHAIRPERSON LEVIN: So, uhm, I mean, so I
21 understand kind of your perspective. Uhm, is there -
22 what's the solution then as you see it? I mean, like
23 if you, if you and the AILA had uhm - could stamp
24 your fingers and address the issue of noncitizens
25

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being able to vote in municipal elections, how would you do it?

MOLLY HARRIS: Well, I mean, there's got to be -

CHAIRPERSON LEVIN: But what would you do?

MOLLY HARRIS: Okay, I would like the CFB said, we have to in other organizations, which the Mayor's Office also addressed this. There has to be a continuous funding stream that allows for training, not just of the general public but election workers. There has to be a full level, comprehensive regulatory oversight that has to be pretty regular. You know, has to be really on top of the implementation. An effective monitoring of polling locations.

Just a matter of anecdotal story, when I was in Dearborn Michigan, there was one polling location, two election districts. So, we had about it was six total poll workers there. And as we know, there was a huge need for new poll workers under the 2020 election because of the pandemic. Two of the six were over the age of 20. So, we had four election workers were 16, 17, 18 years old and yes, they were trained and yes, they are educated. Yes, just watching what was happening and it ended up being a

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1
2 noncitizen voted in the federal in 2020. Someone
3 told me as I was there that a young woman had come in
4 and voted in that election and it was not a citizen.

5 So, you know it happened in my one brief moment,
6 so and no one knew.

7 CHAIRPERSON LEVIN: Hmm, hmm, and were you
8 concerned that it kind of gives like a lifeline to
9 like this like – or that the potential of having a
10 noncitizen voting in an election where they are not
11 authorized to vote in a federal election. Like, that
12 that is a uhm, that that's like you know, a gift to
13 the wingnut ecosystem that is obsessed with you know
14 the Trumpian big lie of voter you know great big
15 voter fraud. I mean, are you worried? I mean is one
16 of your concerns that like this would play into that
17 wacko ecosystem that our former president pours
18 gasoline all over all the time?

19 MOLLY HARRIS: The former guy, I mean obviously
20 that's part of all the miss information that's going
21 out there and obviously that could be definitely
22 great for Tucker and all them. I'm sorry, Lauren
23 Grim. I get them two confused. But you know, it's
24 more of a practical matter. It's not a matter of a
25 choice by a prosecutor. I know Ken Paxton aside and

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1 let's not get into that. You are going to have it at
2 any level and any place could prosecute for sure but
3 I mean, you know, that's a different issue. It's
4 more like ICE will put proceedings against person but
5 even in the least, you are going to be denied
6 citizenship and that's not discretionary. This is
7 not a discretionary matter. You know, we talk about
8 discretion, there is no discretion. An adjudicator
9 at the uhm you know, I mean Citizenship and
10 Immigration Service will deny that person
11 citizenship. That's it, done, never getting it
12 again. There is no discretion and it doesn't mean I
13 did it by mistake. There's case law and I didn't
14 really address it because again, didn't have time.
15 Board of Immigration Affairs 2015 decision matter
16 Fitzpatrick found that an offense is a general not a
17 specific intent. Which means that even if a
18 noncitizen voted by mistake without intent, they are
19 still removable. So, like it's across the board.

21 CHAIRPERSON LEVIN: And that's like an
22 administrative thing. That is not a judicial?

23 MOLLY HARRIS: It's a categorical conversation.
24 You can't — a lot of immigration law and let me try
25 to put it in perspective. A lot of immigration law

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1
2 when it comes to adjudication and it comes to it's
3 not about your specific story. Whether you have a
4 really sympathetic case. You have you know, were a
5 citizen children. You've never been back at your
6 home country. All these stories, all these
7 situations, it doesn't even come into play. The
8 judges don't have any jurisdiction to consider your
9 specific story. They are going to have the law that
10 has to be implemented because there is no discretion.
11 Because it's at the first level of the analysis of
12 it.

13 And so, at the first level of analysis, they say
14 did you do this? Yes.

15 CHAIRPERSON LEVIN: And what is specifically the
16 question that's asked?

17 MOLLY HARRIS: The question would be would you -
18 did you ever vote in a federal, state or local
19 election? First, did you ever register? Obviously
20 if they voted only in the local election, then the
21 CIS hopefully understands the difference between
22 voting in a local election. They have to say yes to
23 that answer and so, the yes is a red flag and during
24 that adjudication of their citizenship application,
25

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you hope that the CIS officer and their supervisors understand yes is okay, right?

CHAIRPERSON LEVIN: For the local — in this case, like in Takoma Park?

MOLLY HARRIS: Right, let me give you an example as a way of analogy. There is a question on the citizenship application, it asks if you ever had military training, okay? Which causes people to think like and there is a whole lot of questions about paramilitary, military, terrorist organizations, all this stuff but if you're an Israeli citizen, it is likely you've had military training also, Korean citizen.

So, CIS is knowledgeable. I've never had a problem with my Israeli or my Korean client apply for citizenship. They have to say yes to that and I'm sure there are others, I don't know but that's where my experience is. You can imagine and they say, okay great, no problem, they obviously get you know mandatory — right? They're educated in that way. It's probably in the adjudicators manual, field manual.

CHAIRPERSON LEVIN: Uhm, okay.

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2 MOLLY HARRIS: But in this area, it is completely
3 new and uhm, you know you're looking at CIS officers
4 who are overworked. They try to adjudicate loads of
5 cases and they are you know you know I can't tell you
6 how many times I've had to educate them on the law
7 all the time.

8 CHAIRPERSON LEVIN: Sure, I mean presumably
9 right, if they are an adjudicator or a case field
10 officer in the City of New York you know, then they
11 will know the local laws of the City of New York. I
12 mean, in other words, if they are not location
13 specific, they're getting cases from all over the
14 United States. Or if you're a field officer, you're
15 like working in the city, you're just going to be
16 working in the city.

17 MOLLY HARRIS: Well, they're getting moved
18 around. The retention rate isn't great. You know
19 there's a lot of new adjudicators coming in. So, I
20 don't know - yeah, the season ones will know. They
21 live in New York City; they may know the law. And
22 let me just you know, address Council Member
23 Rodriguez claim. I am not here to say that you know
24 noncitizen immigrants aren't intelligent enough to
25 understand the laws.

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1
2 I was very involved in politics from a young age
3 and I understand that but I can't tell you how many
4 very educated immigrants come into my office on
5 issues and I have to explain things. But they heard
6 this and they heard that. We all do this. This is
7 not about immigrants, it's about America, this is
8 about human nature. We hear all sorts of things.
9 Look at the vaccine information. Let's just go
10 there. A lot of intelligent people making not such
11 informed decisions right on whether to get the
12 vaccine.

13 So, this is not you know, it's about you know,
14 anyway, I just want to address that that's - and let
15 me also say, the fact that they are coming to me
16 means they have the financial ability to retain me.
17 And even if uhm, you have lots of nonprofit
18 organizations, you've got this CUNY citizenship now,
19 which is an amazing citywide effort that helps people
20 and I'm always sending my clients who are really
21 struggling to even pay me in the previous. I am a
22 low bono; I don't even charge that much. But like,
23 you don't have so many who can really afford it.

24

25

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CHAIRPERSON LEVIN: I will give a shout out to Central American Legal Assistance, which is in my district.

MOLLY HARRIS: There are many others, yes.

CHAIRPERSON LEVIN: Wonderful.

MOLLY HARRIS: I used to work in the other part of the world, so I know.

CHAIRPERSON LEVIN: Just CALA is one of the most wonderful organizations in the city.

MOLLY HARRIS: Yes, I used to work at NYANA too, so. You know, yeah.

CHAIRPERSON LEVIN: Uhm, okay, uh, any of my colleagues have any further questions? Ydanis?

COUNCIL MEMBER RODRIGUEZ: Yeah, I promised myself to only hear the testimony because I think that you know, the great public, the great members of the public that will be testifying, a group of people that we've been working for so many years. But I just want to call Molly Harris or anybody else. Please don't call the documented people alien. That's a term already we have eradicated from the city and for the whole nation. And the second thing is about Immigration Coalition, the CUNY Immigration, the many other Northern Manhattan, the Asian

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2 community, everyone been doing their job. And I can
3 tell you that again, I want to focus ourself about
4 please, don't bring the piece related to about what
5 happened if someone tried to register for the federal
6 election because people are not doing that. This is
7 New York City. How many cases are CUNY Immigration
8 problem working on it? Those of you that are doing
9 free services to immigrants, how many cases do you
10 have? Or someone decided to be deported because he
11 or she tried to register in election. Bring the case
12 down and then we'll talk.

13 That's to be happening in other places but that
14 doesn't happen in New York City. So, let's focus
15 about the merit. We, our people, are not dumb. Our
16 people are smart. They will make the right decision
17 and then we have past group that care for our
18 brothers and sisters in a bipartisan effort to be
19 sure that only those who have green card, that have
20 working paper, will be only registered in local
21 elections. Thank you.

22 MOLLY HARRIS: I don't know if you can hear me. I
23 just want to clarify, I didn't use the word alien,
24 only when I was referring to the statute.
25 Unfortunately, the immigration and nationality, I can

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1 still use that term. I agree, I don't think we
2 should use the term. There is a lot of bad language
3 in our statutes but that's the only time I think I
4 used it, which was I was referring to the statute. I
5 was quoting the statute.
6

7 COMMITTEE COUNSEL: Thank you unless Council
8 Member Rodriguez and the Chair have any further
9 questions, we'll move on? Okay great, next we'll
10 hear from Rodrigo Camarena followed by Olivia Adechi
11 and then Monica Bartley. Rodrigo Camarena, you may
12 begin upon the Sergeants announcement.

13 SERGEANT AT ARMS: Time starts now.

14 RODRIGO CAMARENA: Good day members of the
15 Committee. My name is Rodrigo Camarena; I am the
16 Director of the Immigration Advocates Network or IAN.
17 We are the largest network of nonprofit legal
18 advocates dedicated to protecting immigrants.

19 Thank you for the opportunity to testify today on
20 behalf of the introduction of Intro. 1867. As you
21 all know, New York City is home to 3.1 million
22 immigrants and immigrants represent over one-third of
23 our city's population and nearly half of its workers
24 and small business owners. The city is powered by
25 immigrants and yet over one million immigrant New

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2 Yorkers don't have a voice in choosing their local
3 representatives.

4 These New Yorkers have been contributing for our
5 city. They've been paying taxes and started almost
6 half of all the small businesses in our city. They
7 are active in their communities and yet, back in
8 June, over one million of them weren't able to vote
9 for their elected officials. That's not right.

10 As we work to undo the damage caused by the Trump
11 administration and ensure that President Biden
12 upholds his commitment centered in justice, New York
13 City needs to account for its own role in
14 criminalizing disempowering immigrants. From housing
15 to policing, accessing health care and the treatment
16 of the street vendors, our city has chronically
17 harmed the very same people that the Trump
18 Administration so violently targeted. It is our duty
19 as a city, a fairer future along the very groups that
20 we historically marginalized and barred from spaces
21 of decision making.

22 Empowering our immigrant and noncitizen neighbors
23 with the right to vote in municipal elections is core
24 to doing just that. The COVID-19 crisis hit hardest
25 in low income communities of color and neighborhoods

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2 home to some of New York's largest immigrant yet
3 diasporas. Decades of disinvestment in health care,
4 affordable housing, protections for workers
5 contributed to the high infection rates and
6 disproportionate loss of life that we saw in outer
7 borough and immigrant communities.

8 Knowing this, we must ask ourselves whether the
9 outcomes would have been different if elected
10 officials were forced to be more responsive to the
11 needs of immigrant voters. As a naturalized U.S.
12 citizen and resident of Sunset Park Brooklyn, an
13 immigrant rich community, this issue is personal to
14 me. We have a generation of damage to undo and an
15 obligation to act boldly to pursue justice where its
16 been delayed or denied. We shouldn't be afraid of
17 letting more New Yorkers participate in our
18 democracy. We should be leading the fight to expand
19 voting rights and be a model for the rest of the
20 country.

21 I urge the New York City Council to do the right
22 thing and pass this legislation immediately. Thank
23 you so much for the time.

24 COMMITTEE COUNSEL: Thank you. I'd now like to
25 welcome Olivia Adechi to testify followed by Monica

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2 Bartley and then Shruti Banerjee. Olivia Adechi, you
3 may begin upon the Sergeants announcement.

4 SERGEANT AT ARMS: Time starts now.

5 OLIVIA ADECHI: Thank you Council. Good
6 afternoon everyone. My name is Olivia Adechi and I'm
7 one of New York City's over three million immigrants.
8 I am also a Paralegal Case Handler with the
9 Immigration Law Unit at the Legal Aid Society and the
10 Immigration Law Unit assists low income New Yorkers
11 fighting unlawful deportations and those seeking or
12 trying to maintain lawful status. Over the most
13 recent year, the unit assisted around 4,500
14 individuals with immigration matters.

15 The Legal Aid Society supports non-U.S. citizen
16 suffrage in New York City because if our city is to
17 call itself a democracy, it cannot do so without
18 franchising all adults who call it home regardless of
19 their immigration status. We believe that Intro.
20 1867 is an important step towards that. Immigrant
21 New Yorkers are integral to the fabric functioning in
22 tax space of this city and always have been. Yet,
23 they do not have a meaningful way to participate in
24 local or electoral politics and that have huge
25 impacts on their lives.

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2 Their lack of access to voting is particularly
3 problematic now because during the pandemic,
4 immigrants represented over half of the one million
5 essential workers that kept the city going as the
6 rest of us worked safely from our homes. In fact,
7 according to the Mayor's Office, foreign born workers
8 represent approximately 56 percent of the workforce
9 in essential industries and 58 percent of the
10 workforce in essential occupations. It's also
11 important to note as others have said, that during
12 the pandemic, the zip codes with high immigrant
13 populations had the highest mortality rates and loss
14 of income.

15 Federal law does not preclude noncitizen voting
16 in state or municipal elections, as long as it is
17 lawful for them to do so under state or municipal
18 law. Of greater concern, however, is that is one
19 claiming, falsely claiming U.S. citizenship, which is
20 a federal crime and a ground of deportability. For
21 this reason, the Legal Aid Society recommends the
22 Council write municipal laws that enfranchise
23 noncitizen voters but also do all that is possible to
24 protect them.
25

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For example, voter registration errors inevitable, many people have mentioned it already today. We recommend the use of a voter registration form that does not give voters the option of choosing their citizenship but instead, solely relies on the affidavit affirming that the applicant is either a lawful permanent resident or is authorized to work in the United States. We recommend that for individuals who have registered on the basis of employment eligibility, the city verify their employment eligibility during the voting period and automatically suspend their ability to vote if that person becomes ineligible during the voting period.

We also recommend and encourage the strongest possible confidentiality laws that would prohibit the city from sharing noncitizen voter registration forms with the federal government.

Growing up, I always had some sort of legal immigrant status. I had the best case scenario for someone who moved here at a young age because I had a pathway citizenship. Still, it took 14 long years and thousands of dollars for me to get citizenship and for me to now be able to vote in the city I've called home my whole life. The Legal Aid Society

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2 urges the city to recognize the importance and
3 equality of immigrants and the importance of –

4 SERGEANT AT ARMS: Time expired.

5 OLIVIA ADECHI: Enfranchising them. Uhm, I'll
6 just finish this point. But we also stress the
7 importance of carefully crafting the process to
8 prevent the kind of human error that could hurt them.
9 I want to emphasize that because something maybe
10 complicated, it does not mean it is not democratic,
11 necessary or morally right. Thank you so much for
12 the time.

13 COMMITTEE COUNSEL: Thank you. I'd now like to
14 welcome Monica Bartley to testify followed by Shruti
15 Banerjee and then Maria Lizardo. Monica Bartley, you
16 may begin upon the Sergeants announcement.

17 SERGEANT AT ARMS: Time starts now.

18 MONICA BARTLEY: Good afternoon. Thank you Chair
19 Levin, Acting Chair Levin and Committee members for
20 affording me the opportunity to testify. My name is
21 Monica Bartley and I am a Community Organizer at the
22 Center for Independence of the Disabled New York.
23 The Center for Independence of the Disabled or CIDNY,
24 is a leading advocate for all New Yorkers of all ages
25 and with all types of disabilities.

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2 We serve all New Yorkers regardless of their
3 immigration status. Part of CIDNY's mission is to
4 ensure the full participation of individuals with in
5 the electoral process and to encourage those who are
6 eligible to do so. New York City has always been a
7 city of immigrants who come here seeking a better
8 life. They pay taxes, they put their lives on the
9 line as seen during this pandemic. Immigrants have
10 the right to contribute to bettering our city through
11 participation in voting and elections.

12 People with disabilities must be included in this
13 process so that they can help to determine the
14 necessary accommodations required for involvement at
15 all levels of civic life. Our city will be improved
16 when all New York City residents that have committed
17 to living here can participate in shaping it by
18 helping to choose its elected leaders.

19 The passing of Intro 1867 will allow all
20 permanent residents with disabilities to contribute
21 to the civic affairs of New York City so that they
22 can represent themselves on issues that affect them.
23 CIDNY seeks that the New York City Council sign this
24 bill into law. Thank you.
25

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2 COMMITTEE COUNSEL: Thank you. I'd now like to
3 welcome Shruti Banerjee to testify followed by Maria
4 Lizardo and then Judy Lei. Shruti Banerjee, you may
5 begin upon the Sergeants announcement.

6 SERGEANT AT ARMS: Time starts now.

7 SHRUTI BANERJEE: Thank you. I'm grateful for
8 the opportunity to testify here today. My name is
9 Shruti Banerjee, and I am a Senior Policy Analyst at
10 Demos. We are an action-oriented think tank that
11 addresses the most pressing issues related to our
12 democracy and economy through litigation and policy
13 analysis. I previously served as a Policy Analyst in
14 the New York City Mayor's Office of Immigrant
15 Affairs, so it's great to see a lot of familiar faces
16 here. And on a personal note, I am the daughter of
17 immigrants who taught me the importance of getting
18 involved in local politics to ensure that my
19 community has equal access to public services.

20 For our democracy to be truly inclusive and
21 equitable, everyone's voice must be heard.
22 Unfortunately, our current democratic system denies
23 nearly one million of our fellow New Yorkers the
24 right to participate in local elections. This
25 includes over 480,000 essential workers in New York

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2 who have risked their lives to serve as our health
3 care specialists, as well as keeping our grocery
4 stores and our pharmacies open during this ongoing
5 pandemic. This has prevented these noncitizen New
6 Yorkers from having any power to determine the
7 policies that will benefit their communities. This
8 includes everything from access to public education,
9 transportation, food security programs, community
10 safety and health care.

11 Passing this bill and restoring voting rights to
12 non-citizens in New York for local elections would
13 be a vital step towards building a more
14 representative and inclusive democracy. And I want
15 to note that our written testimony includes a lot of
16 data and historic analysis that reenforce many of the
17 incredible points made here today by our Council
18 Members and previous panelists about the importance
19 of passing this bill and restoring voting rights to
20 noncitizens. This includes analysis of other
21 jurisdictions that have restored voting rights to
22 noncitizens, as well as the incredible contributions
23 that noncitizen New Yorkers have made to our
24 communities.
25

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2 But in the interest of time, I want to focus on
3 the importance of why we must pass this bill now.
4 During this hearing, there has been discussion about
5 the urgency of passing this bill and one of the main
6 reasons that it's important is the complex
7 naturalization process and the backlog, the growing
8 backlog that has hit record highs, that is preventing
9 millions of people across the country from
10 participating in elections.

11 Opponents of this bill argue that noncitizens in
12 New York should just naturalize if they want to vote,
13 but the naturalization process is incredibly
14 expensive and lengthy. The application fee alone is
15 \$725. This includes just a filing fee and processing
16 fee of \$640 plus a mandatory \$85 biometric fee, and
17 this is just to submit the naturalization
18 application.

19 As we've heard panelists before, if when the cost
20 of legal fees come into it, this costs upwards of
21 thousands of dollars for an immigrant to naturalize
22 whose been here for decades. The application fee
23 along can make the process unaffordable and it serves
24 as a barrier to the ballot box for many immigrants.
25 And the argument that a noncitizen New Yorker should

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2 naturalize before they can vote is essentially the
3 same thing as supporting a \$725 poll tax for
4 immigrants.

5 The application fee – additionally sorry,
6 naturalizing can take up to six to eight years, but
7 the backlog of applications and delays due to the
8 pandemic, have further exacerbated the long
9 application processing times.

10 SERGEANT AT ARMS: Time expired.

11 SHRUTI BANERJEE: And as we've heard people –
12 sorry, I just would like to add that the backlog has
13 been well over one million according to USCIS data
14 and that's over 30,000 in the New York City regional
15 office alone. These are 30,000 New Yorkers who are
16 unable to participate in our elections due to a
17 backlog. They've done everything right in the system
18 together. I apologize, as you can hear, I live on a
19 busy New York City block and there is a lot of noise
20 around.

21 But I just want to say this bill is vital to
22 ensure that 30,000 New Yorkers, upwards of 30,000 New
23 Yorkers have the ability, who are waiting in the
24 naturalization process, to vote immediately and have
25 a say in the policies that govern their daily lives.

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2 Thank you and I apologize again for all that
3 background New York City noise. I felt like we
4 needed that to make it more authentic.

5 COMMITTEE COUNSEL: Thank you. I'd now like to
6 welcome Maria Lizardo to testify followed by Judy Lei
7 and then Caroline Scrown. Maria Lizardo, you may
8 begin upon the Sergeants announcement.

9 SERGEANT AT ARMS: Time starts now.

10 MARIA LIZARDO: Yes, good afternoon. I am Maria
11 Lizardo, the Executive Director of a Settlement House
12 called NMIC, Northern Manhattan Improvement
13 Corporation and we serve community members in upper
14 Manhattan and in the Bronx. Thank you for allowing
15 me to testify today and Council Member Rodriguez for
16 your stanch support of 1867. There are many false
17 narratives when it comes to immigrant communities.
18 We don't contribute to the economy, false. We don't
19 pay taxes, false. We don't get involved in our local
20 communities because we're so worried about our home
21 countries, false. We are very active and very
22 engaged when it comes to our local communities. We
23 pay taxes and during the pandemic, we saw who was on
24 the forefront providing essential services to New
25 York City. Half of all frontline essential workers

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2 are immigrants and one in five are noncitizens. As
3 involved as our immigrant communities are in local
4 and civic engaged activities, we have every right to
5 vote and to elect vote who represent our interests
6 and who will be our voices when it comes to
7 government. Making sure that budgets invest in
8 communities and making sure that the policies that
9 are passed in our great city support our immigrant
10 New Yorkers.

11 I am the daughter of undocumented immigrants who
12 came to this country in 1965 from the Dominican
13 Republic. My mom was involved in everything when it
14 came to her local community but one thing she
15 couldn't do when she was a documented immigrant was
16 vote. It is the one thing that she wanted to make
17 sure that she got involved with and she had to wait
18 until she became a citizen in order to be able to do
19 that.

20 We need to stop that now and we need to restore
21 1867. We need to restore the ability for our
22 community members to vote. Please, I encourage you
23 to do that today. Let the Board of Elections figure
24 out how it will be done. Let the nonprofits on the
25 ground do the work and the leg work and to educate

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2 folks on how to get this done but please, let's make
3 this happen. Thank you.

4 COMMITTEE COUNSEL: Thank you. I'd now like to
5 welcome Judy Lei to testify followed by Caroline
6 Scown and then Win-Sie Tow. Judy Lei, you may begin
7 on the Sergeants announcement.

8 SERGEANT AT ARMS: Time starts now.

9 JUDY LEI: Hi everyone. Before I begin my
10 testimony, I just want to commend Council Member
11 Rodriguez for your passion and for fighting so hard
12 and for so long. And also, special shoutout to
13 Councilman Yeger, you are my Councilman and I'm
14 thankful that you are here today and I really
15 appreciate your openness.

16 Hi everyone, good afternoon. My name is Judy Lei
17 and I am the Voting Rights Organizer at the Asian
18 American Legal Defense and Education Fund's Democracy
19 Team. AALDEF is a 47-year-old New York-based
20 national civil rights organization that protects and
21 promotes the civil rights of Asian Americans across
22 this country through litigation, advocacy, education,
23 organizing. And AALDEF works with communities across
24 the America to secure human rights for all. Thank you
25

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for all again for the opportunity to testify on
behalf of Intro 1867.

As the Voting Rights Organizer for AALDEF, I
organize along attorneys and community organizations
in 14 states and Washington D.C. on the nation's
largest Asian American exit poll to advocate for
language access and to spot voting problem. I also
register newly sworn citizens every Friday at the New
York Southern District Courthouse, in which people
have told me that they have waited years, sometimes
more than a decade, just to have a chance to
participate in our country's democracy. I am
constantly blown away by their enthusiasm for voting.
However, I am here today to speak for the working
class, Chinese immigrant women like my mother's
colleagues at the Chinatown Bakery, who have been in
this century – city sorry, for more than two
decades, who are green card holders, and who have
contributed their tax dollars and their labor to this
city but cannot vote for their City Council members
and Mayor.

And we've spoken about noncitizen municipal
voting in San Francisco and in Maryland, so I'm not
going to go into that. I also just want to add that

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2 in Vermont, as recently as June 2021, Montpelier and
3 Winooski allowed noncitizens to vote in municipal
4 elections. And now, it's New York's turn to make
5 noncitizen municipal voting a reality.

6 I just want to bring it back that for 34 years,
7 from 1969 through 2003, New York allowed noncitizen
8 residents to vote in school board elections without
9 incident. This created the most diverse group of
10 parents elected to have a say in their child's
11 education. Although this initiative was done through
12 state authority, the initiative we're proposing does
13 not require the state's permission and we hope voters
14 get a chance to do the same.

15 Since there is a precedent here with no issues,
16 it's time for New York to allow green card holders
17 and those who have work authorization to be
18 incorporated into our vibrant New York City community
19 and allow them to vote in municipal elections. Thank
20 you all so much.

21 COMMITTEE COUNSEL: Thank you. I'd now like to
22 welcome Caroline Scown to testify followed by Win-Sie
23 Tow and then Farah Salam. Caroline Scown, you may
24 begin on the Sergeants announcement.

25 SERGEANT AT ARMS: Time starts now.

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2 CAROLINE SCOWN: Good afternoon Chair Levin and
3 members of the committee. Thank you so much for the
4 opportunity to testify today on behalf of
5 Introduction 1867. I am Caroline Scown, an Adult
6 Literacy Instructor at the Chinese-American Planning
7 Council.

8 The mission of CPC is to promote the social and
9 economic empowerment of Chinese American, immigrant,
10 and low-income communities. CPC is also a member of
11 the Our City Our Vote Coalition. Intro 1867 would
12 expand voting rights in New York City elections to
13 nearly one million noncitizen New Yorkers, many of
14 whom have been long-time community members, leaders
15 and contribute to the strength of our city in
16 countless ways. They have a right to decide who
17 represents them in municipal offices like the City
18 Council or Mayor as the decisions made on the city
19 level directly impact them and their communities.

20 The concept of noncitizen voting is not new and
21 many municipalities across the country have
22 successfully implemented it. In fact, until school
23 boards were disbanded in 2002, New York City allowed
24 noncitizens to vote in school board elections for
25 over 40 years. I work with many New Yorkers through

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1
2 our Adult Literacy program at CPC and I'd like to
3 share what this legislation will mean to them and
4 their families.

5 So, I recently finished teaching a class to
6 prepare community members to take the citizenship
7 exam. And more than half of my students weren't even
8 eligible yet to apply for citizenship, but they were
9 taking the class, many for the second or third time
10 already, because they were so interested in learning
11 about American history and government and getting
12 involved. When I talked with one of these students,
13 Todd, about the ideas behind Intro 1867, he told me
14 why Our City Our Vote is such a powerful proposal to
15 him, saying, "Noncitizens are living and working in
16 the city just as everyone else. Their voices should
17 be heard. Their rights and ideas should be
18 considered by the government, too."

19 Our community members do more than talk about
20 civic engagement, they are committed to action. This
21 spring, two of my students actually met with city
22 lawmakers to advocate for adult literacy funding.
23 Neither of them are citizens, but they're so invested
24 in supporting adult literacy programs for their
25 community that they were moved to testify.

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2 Over the years of the adult literacy program,
3 dozens of our students have joined us to protest,
4 testify, and speak up for what they believe in. Even
5 though these New Yorkers are not citizens, they want
6 a say in how our city is run.

7 During this ongoing pandemic, half of all
8 frontline, essential workers are immigrants and one
9 in five are noncitizen New Yorkers. These are our
10 neighbors and colleagues who risked their lives over
11 the last 18 months to keep our hospitals, groceries,
12 and other essential services running. They deserve a
13 voice in government and a way to hold that government
14 accountable to them and their communities. We
15 shouldn't be wary of letting more New Yorkers
16 participate in our democracy and our city should
17 continue to lead the fight to expand voting rights
18 and be a model for the rest of the country.

19 Currently, Intro 1867 has 33 Co-Sponsors totaling
20 more than enough votes to pass. Now is the time to
21 empower our immigrant communities and uplift their
22 voices. I urge the City Council to do the right
23 thing and pass this legislation immediately. Thank
24 you.

25

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2 COMMITTEE COUNSEL: Thank you. I would now like
3 to welcome Win-Sie Tow to testify followed by Farah
4 Salam and then Sara El Sebai. Win-Sie Tow, you may
5 begin upon the Sergeants announcement.

6 SERGEANT AT ARMS: Time starts now.

7 WIN-SIE TOW: Acting Chair Levin and members of
8 the Government Operations Committee, thank you for
9 hosting this hearing today on Intro. 1867. My name
10 is Win-Sie Tow, the Civic Engagement Organizer for
11 the Chinese Progressive Association. We are a
12 nonprofit organization based in Manhattan's Chinatown
13 and the lower east side and we offer educational
14 advocacy service and organizing programs. Such as
15 ESL and citizenship classes, voter registration and
16 civic engagement education that raise the communities
17 living and working standards.

18 If living in a democracy means that every voice
19 counts, we need everyone to participate. As a
20 daughter of immigrants and as the civic engagement
21 organizer in Chinatown in the lower east side, I'm
22 regularly tasked with registering people to vote. A
23 common refrain I hear is, I'm not eligible or I'm
24 just a green card holder. And even though many are
25 interested and would vote if given the right to do

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2 so, many are home health aides, construction workers,
3 restaurant staff, the so-called essential workers.

4 They are all part of the forgotten group that
5 have no say in the direction of our city. We must
6 restore the right to vote for these nearly one
7 million taxpaying noncitizens in New York City and if
8 this were to become a reality, the Chinese
9 Progressive Association would be more than willing to
10 do the education and outreach needed for our
11 community. Every voice must truly count. Thank you
12 for your time.

13 COMMITTEE COUNSEL: Thank you. I'd now like to
14 welcome Farah Salam to testify followed by Sara El
15 Sebai and then Gbenga Awonusi. Farah Salam, you may
16 begin upon the Sergeants announcement.

17 SERGEANT AT ARMS: Time starts now.

18 FARAH SALAM: Good afternoon all and thank you to
19 Chair Cabrera and members of the Committee. Uhm, I
20 want to thank everyone for allowing and inviting
21 community-based organizations to testify on behalf of
22 Introduction 1867, to expand voting rights in New
23 York City elections to help one million noncitizen
24 New Yorkers vote municipally within New York City.

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2 My name is Farah Salam, and I am the Priority
3 Areas Specialist for the Arab-American Family Support
4 Center. I am honored to testify today. So, our
5 communities have been disproportionately impacted by
6 the pandemic, since suffering from the lack of
7 linguistically accessible resources and information
8 needed to keep them safe. At the Arab-American
9 Family Support Center, we have been providing
10 information, resources and other essential PPE to our
11 immigrant and refugee essential workers throughout
12 New York City during the last 18 months.

13 However, because of working conditions
14 overcrowding and overextended health care services
15 that have left families especially vulnerable to
16 COVID-19 infection and fatalities, it's been very
17 difficult for our community members to get what they
18 need and to have their voices heard.

19 Our organization has also been tasked with
20 empowering the voices of our community by involving
21 them in census work and involving them in providing
22 benefits that they may not be able to receive
23 federally. Such as through NYC Care or other city-
24 based programs. Uhm, however despite the roles that
25 our community members have played over the last 18

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2 months as essential workers and more visibly during
3 the pandemic, they cannot vote. They are excluded
4 from the opportunities that would allow them to
5 contribute to civic society and to decide who
6 represents them in City Council.

7 Voting will promote a sense of civic duty,
8 harness the vital contributions of immigrant New
9 Yorkers into changeable political power and ensure
10 that all community members can participate in
11 decisions that impact their everyday lives.

12 Giving an example, my husband he has been living
13 in New York City longer than I have. He has been
14 here for about ten years but he can't vote. He is
15 here on a Work Visa and has been working for a pretty
16 large company based out of New York and in order to
17 gain a sense of civic duty, he's been working in
18 mutual aid networks over the course of the last 18
19 months during the pandemic especially during the peak
20 and beyond that, he's been volunteering in campaigns
21 for City Council for uhm, congress and other
22 campaigns.

23 However, despite all of this activity, he is
24 unable to vote. And it would definitely make such a
25

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big difference to see the amount of work that our community members put in to –

SERGEANT AT ARMS: Time expired.

FARAH SALAM: To vote. I am going to end off with this. We joined Our City Our Vote respectfully requesting the city to expand voting rights and be a model for the rest of the country while other states and municipalities suppress voting rights for many living in vulnerable and low-income areas. And we support the 33 Council Members who have signed on to support this policy by expanding voting rights for all New Yorkers.

Thank you for this opportunity to testify. I hope you all have a wonderful afternoon. Thank you.

COMMITTEE COUNSEL: Thank you. I'd now like to welcome Sara El Sebai to testify followed by Gbenga Awonusi and then Yesenia Mata. Sara El Sebai, you may begin upon the Sergeants announcement.

SERGEANT AT ARMS: Time starts now.

SARA EL SEBAI: Members of the Committee, thank you for the opportunity to testify before you today on behalf of Intro. 1867 to expand voting rights in New York City. My Name is Sara El Sebai, and I work

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2 with the Arab American Association of New York's
3 Immigration team in Bay Ridge, Brooklyn.

4 The work our organization does in our community
5 to promote democracy and voter engagement is unique.
6 We serve immigrants from all over the Arab world who,
7 before coming to the United States, lived in a place
8 where the freedom to vote and to choose their own
9 elected officials was something they simply had never
10 experienced. It is an incredible rewarding part of
11 the work we do to introduce new Americans to
12 democracy and to help them join in on participating
13 in their government in a way they've never have been
14 able to before.

15 Even among those who have citizenship, a
16 dishearteningly high proportion of our population
17 remains skeptical of the electoral system in New
18 York. And many of the immigrants we serve are coming
19 from places where elections, if they are held at all,
20 are often little more than shams to enable those in
21 power. On top of this, there is a distrust held by
22 many in the Arab American community towards the
23 federal, state, and city governments as a result of
24 discriminatory surveillance and policing practices
25 our community has experienced over the last 20 years.

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2 The result of this is that our community has a
3 shockingly low rate of Democratic participation and
4 engagement.

5 Today as you've already heard from countless
6 organizations talking about how Our City Our Vote
7 would empower countless immigrants from all over the
8 world to participate in their government and make New
9 York one of the most Democratic cities in the
10 country. But one of the most impactful things this
11 law would do would be to create buy in not just in
12 the city government but in all levels of electoral
13 government among immigrants who may not otherwise be
14 inclined to do so.

15 Building trust in America's democratic
16 institutions is more important now than ever, and by
17 taking a sledgehammer to the walls which separate
18 immigrants from their municipal government, will be
19 doing exactly that. So, with one City Council vote
20 and a stroke of the pen from Mayor de Blasio, we can
21 empower a new generation of Arab Americans, Muslim
22 Americans, and immigrants from all over the world to
23 fully become a part of the governance of the city
24 they call home. We can take a stand against the
25 disturbing anti-democratic trends we're seeing in

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states and cities across the country. And we can build trust between long excluded communities and the city governments they have long felt separated and divided from.

We urge the City Council to pass Our City Our Vote into law and empower New York's democracy for the 21st century. Thank you.

COMMITTEE COUNSEL: Thank you. I'd now like to welcome Gbenga Awonusi to testify followed by Yesenia Mata and then Celine Yip. Gbenga Awonusi, you may begin upon the Sergeants announcement.

SERGEANT AT ARMS: Time starts now.

GBENGA AWONUSI: Good afternoon everyone. My name is Gbenga Awonusi, I am here this afternoon representing DSI International. A community-based organization in Queens area of New York City. We aim to immigration integration focusing on empowerment. I am here this afternoon representing the community we serve. We joined our voice with the voices of other Coalition group in Support of the exciting legislation that expands democracy in New Your City, so that new green card holders and those with work authorization will be allowed to vote in election for city level offices.

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1 Our community have been disenfranchised from
2 performing their civic responsibilities in the areas
3 of housing, street safety, policy and so on. They do
4 not even have a say on issues that affect the
5 education of their children. As it stands today, we
6 have close to a million green card holder and those
7 with work authorization who pay their taxes regularly
8 but have been denied the opportunity to vote at the
9 municipal elections. Some of these people are
10 essential workers. We have the nurses, the doctors,
11 the caregivers, the teachers, the food vendors who
12 put their lives on the line during the pandemic to
13 make sure that lives are saved.

14 I am proud to be one of them. We are an
15 essential part of everyday life and an asset to the
16 survival of the economy yet, we have been completely
17 shut out of the political life of our city by not
18 been able to be part of the decision that impact our
19 daily lives. We do not have a say in the decision
20 that affect the future of our children, the
21 cleanliness of our environment, and our local
22 democracy.

23 Passing of the bill will allow this close to one
24 million souls to be able to exercise their civic
25

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2 responsibilities and elect candidate of their choice
3 that will represent them and make their choice heard.

4 I therefore plead that the government of our time
5 look into this area critically and let this
6 individual out of the bag by allowing them to perform
7 their civic responsibility without discrimination,
8 fear or intimidation. Thank you very much.

9 COMMITTEE COUNSEL: Thank you and now let's
10 welcome Yesenia Mata to testify followed by Celine
11 Yip and then MJ Okma. Yesenia Mata, you may begin
12 upon the Sergeants announcement.

13 SERGEANT AT ARMS: Time starts now.

14 YESENIA MATA: My name is Yesenia Mata, I am the
15 Executive Director of La Colmena, a daily labor and
16 American rights organization here in Staten Island.
17 Throughout the entire pandemic, we have seen how the
18 immigrant community set up like they always have to
19 ensure that the City of New York can continue
20 running. This is why throughout the entire pandemic
21 the immigrant worker must was called a hero.

22 As someone who also serves in the U.S. Army
23 Reserves as a 31 Bravo Military Police, I further
24 have seen the heroism of the immigrant community.
25 Currently, there are many soldiers who are serving in

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2 uniform who are not citizens but they serve because
3 they love this country. Which only one percent of
4 the population serve. So, let that sink in,
5 especially for those that are against Intro. 1867.

6 My question is what else does the immigrant
7 community need to do to show certain elected
8 officials that they care about the City of New York?
9 And New York City, that New York City is their home.
10 If New York City prides itself of being one of the
11 most diversities in the world, one of the most
12 inclusive cities in the world, well, it is time to
13 show it and to lead by example. We have some of the
14 top attorney's, some of the top CBO's and some of the
15 best organizers. We can get Intro. 1867 to pass and
16 implement it. It is time that we give the immigrant
17 community the respect and the right that they
18 deserve. Thank you for letting me testify.

19 COMMITTEE COUNSEL: Thank you. I'd now like to
20 welcome Celine Yip to testify followed by MJ Okma and
21 then Eva Santos Veloz. Celine Yip, you may begin
22 upon the Sergeants announcement.

23 SERGEANT AT ARMS: Time starts now.

24 COMMITTEE COUNSEL: I believe the Chair has –
25

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2 CHAIRPERSON LEVIN: Sorry, Yesenia, I just want
3 to thank you for your service for our country. Thank
4 you.

5 COMMITTEE COUNSEL: Thank you. Celine Yip.

6 SERGEANT AT ARMS: Time starts now.

7 CELINE YIP: Thank you so much for the
8 opportunity to speak. I am Celine Yip of Nonprofit
9 New York. Uhm, I am here to speak in support of
10 passing Intro 1867, to expand voting rights in New
11 York City elections to nearly one million noncitizen
12 New Yorkers.

13 Nearly one million of our fellow New Yorkers are
14 denied the right to vote. And these New Yorkers
15 contribute to our city. They have been paying taxes
16 and have started almost half of all the small
17 businesses and during this ongoing pandemic,
18 continued working as essential workers. Yet back in
19 June, nearly one million of these New Yorkers were
20 unable to choose the elected officials who would go
21 on to make decisions that affect their lives every
22 day. These New Yorkers are barred from being able to
23 hold the powerful accountable.

24 At Nonprofit New York we recognize the past year
25 has provided powerful illustrations of why we must

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1
2 not take our democracy for granted. Making sure that
3 all New Yorkers have their voices heard, it's not
4 partisan or political, these are responsibilities.
5 This issue is important to Nonprofit New York and
6 personal to me. I am the daughter of a Cambodian
7 refugee. I grew up in a household so poor we could
8 not afford heating and had recurring bouts of housing
9 instability.

10 Because of this, at times, my mother was forced
11 to work two full time jobs. My mother worked hard.
12 She contributed to our economy. She was engaged in
13 our community and she deserves her right to vote.
14 Luckily, because of her refugee status, my mother
15 received U.S. citizenship, but she is not the norm.
16 The naturalization process can take years to complete
17 and is expensive. Foreign born residents like my
18 mother deserve and need the right to elect someone to
19 represent their needs.

20 33 Council Members have put their names on this
21 bill. That is more than enough to pass. I urge the
22 City Council to do the right thing and pass this
23 legislation immediately. Thank you for your time.

24 CHAIRPERSON LEVIN: Thank you Celine.
25

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2 COMMITTEE COUNSEL: I'd now like to welcome MJ
3 Okma to testify followed by Eva Santos Veloz and then
4 Adeel Ahmed. MJ Okma, you may begin upon the
5 Sergeants announcement.

6 SERGEANT AT ARMS: Time starts now.

7 MJ OKMA: Hi, good afternoon Acting Chair Levin
8 and Members of the Committee on Governmental
9 Operations. My name is MJ Okma with the Human
10 Services Council, a membership organization
11 representing 170 New York human services nonprofits
12 and a proud member of the Our City Our Vote
13 Coalition. Thank you so much for the opportunity to
14 testify in support of Intro. 1867.

15 As mentioned by both the Administration and the
16 Campaign Finance Board earlier, our city often turns
17 to human services CBO's to promote civic engagement
18 and quickly spread breaking information about new and
19 evolving government policies, due to our sectors deep
20 roots in our communities. Yet, at the same time,
21 there are many human services advocates, workers,
22 clients, neighbors and supporters who are completely
23 left out about these critical decisions that effect
24 their community by being barred from voting in local
25 elections. It is time to change that.

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We know that politically engaged communities lead to more positive outcomes. In city government and human services organizations must work together to break down the barriers that prevent engagement. Intro. 1867 is a vital step forward in ensuring people who live here and who make our city and neighborhoods who they are. What they are, are able to choose their elected leadership. Passing this bill has already expanded the right to decision in order to restore it, expand voting rights to nearly one million New Yorkers who live here and pay taxes will have a no say in how that money is being spent. But in the wake of COVID-19, this bill is even more urgent.

Passing and implementing this bill will mean New Yorkers who have been disproportionately impacted by this pandemic while at the same time being excluded from many COVID-19 relief programs will have a voice in our city rebuilds. The path involved frontline workers and frontline essential workers are immigrants and one in five are noncitizens. We cannot ask these New Yorkers to risk their lives to keep us happy and keep our city running while also denying them the right to vote. We cannot have a

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2 truly fair and equitable recovery while denying these
3 communities that have been among the most impacted.
4 A voice in how the city budget will be spend and who
5 represents them.

6 As of this morning, 34 Council Members have put
7 their names on this bill. That is more than enough
8 to pass. We urge the Speaker to quickly schedule
9 this bill to a vote after today's hearing at the
10 Council to pass this bill as quickly as possible.
11 Human Services providers are ready to our part to
12 ensure that impacted community members will have the
13 information and resources they need to participate in
14 local elections once this bill is implemented. Thank
15 you so much for the opportunity to testify.

16 CHAIRPERSON LEVIN: Thank you so much MJ. Thank
17 you.

18 COMMITTEE COUNSEL: I would now like to welcome
19 Eva Santos Veloz to testify, followed by Adeel Ahmed
20 and then Enan Nasim. Eva Santos Veloz, you may begin
21 at the Sergeants announcement.

22 SERGEANT AT ARMS: Time starts now.

23 EVA SANTOS VELOZ: Hi everyone. My name is Eva
24 Santos Veloz and I am a Dominican DACA recipient.
25 I've been residing in this city since I was nine

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1 years old. This is the city that I went to school.

2 This is the city that I grew up. When I first became

3 a DACA recipient, this is the city that I first

4 started doing my contribution economically.

5 The first city that I pay my share of taxes has

6 been New York City and the only one for the last

7 eight years that I have been a DACA recipient.

8 During the pandemic, there were many, many of out

9 there protecting the city that we have known since we

10 were children, including myself. Not also just being

11 an undocumented immigrant, I feel like I deserve the

12 voting rights to choose who is in Chair, being a mom

13 of three U.S. children. U.S. citizen that were born

14 in the city, I feel like I should have a right as a

15 parent to have a say who in the future is elected on

16 those chairs on their education, how safe the streets

17 are going to be. I have the right to like, to say

18 like uhm, just like every other parent out there on

19 how the future of my children are and many other TPS

20 holders and DACA recipients just like me.

21 I was raised in this city and I contribute daily.

22 I work for the city. I am a volunteer for United We

23 Dream Action. I am fighting and advocating for so

24 many things out there in the city that I grew up. My

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1 mom has been here since the '80's and she has never
2 had a right and has never had a say to decide and
3 make those changes for me and I want to have in the
4 future the right to be able to have a say in my kids
5 future.
6

7 Uhm, that were born in this city and they are
8 U.S. citizens like why not? Why are we not deserving
9 of that? And many others out there. I grew up here,
10 I am just as New Yorkers as many others out there. I
11 have - all my taxes have been paid here. All my - I
12 went to school, to middle school, to high school, to
13 college here. Every single one of us have
14 contributed to the city some way, somehow and I just
15 feel like uhm, we are deserving of this and I want to
16 thank Councilman Cabrera who is also a Dominican for
17 bringing this uhm, Intro. 1867. I feel really,
18 really happy and proud of being a Dominican and he
19 representative of this matter and I really hope that
20 me as a New Yorkers, just a DACA recipient, I am that
21 person that person that you guys are fighting for
22 this bill for. Uhm, and I'm we do deserve this. We
23 have worked very hard and my children and this is the
24 future of our children who is on the line for this.
25 And thank you very much for having me here today.

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2 CHAIRPERSON LEVIN: Thank you very much Eva,
3 thank you.

4 COMMITTEE COUNSEL: Thank you. I'd now like to
5 welcome Adeel Ahmed to testify followed by Nasum and
6 then Lea Giddins. Adeel Ahmed, you may begin upon
7 the Sergeants announcements.

8 SERGEANT AT ARMS: Time starts now.

9 ADEEL AHMED: Good afternoon everybody. My name
10 is Adeel Ahmed, I'm a Community Organizer for the
11 Black Institute. We are a thinktank that does
12 research and action on issues through the lens of
13 people of color. I am going to be reading the
14 testimony of Mr. Victor Babathemy(SP?) who could not
15 make it here today because he is a hard working New
16 Yorker.

17 So, good afternoon members of the Committee. I
18 am Mr. Victor Babathemy, thank you for this
19 opportunity to testify on behalf of Intro. 1867 to
20 expand voting rights of New York City elections to
21 nearly one million noncitizen New Yorkers.

22 We live in a democracy yet one million of our
23 fellow New Yorkers are denied the right to vote.
24 These are our coworkers, neighbors and friends. Many
25 of them have lived in this city for a long time. I

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2 am one of these one million. We are New Yorkers who
3 have been contributing to our city. We've been
4 paying taxes and have started almost half of the
5 small businesses in our city. Many are active in our
6 communities and yet back in June, one million of us
7 were not able to choose the elected officials that
8 make decisions effecting our day to day lives. This
9 is not right.

10 I live in East New York Flatbush neighborhood of
11 Brooklyn New York represented by Councilwoman Farah
12 Louis who is a sponsor of this bill. I am a
13 Behavioral Health Associate and work with the NYC
14 Health Hospital. I have lived in my neighborhood for
15 five years. I live in a democracy and yet nearly one
16 million immigrant New Yorkers like me can vote in
17 local elections. I am a resident of the city and I
18 live here, work here, go to school here, raise
19 families here and pay taxes here and deserve on
20 issues that affect us and the direction of our city.

21 Half of all frontline essential workers are
22 immigrants and one in five are noncitizens. We are
23 New Yorkers who literally risk our lives to keep
24 ourselves healthy and keep this city running and we
25 are denied participation to vote and our taxes are

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2 spent in who represents us in government. I support
3 the Introduction 1867-2020 because it will strengthen
4 our democracy by allowing nearly one million of us
5 New Yorkers who are green card holders or valid work
6 authorizations to vote in New York City local
7 elections.

8 Once again, during this ongoing pandemic, half of
9 all frontline essential workers are immigrants and
10 one in five are noncitizen New Yorkers. We ask them
11 to risk their lives serving as medical professionals,
12 keeping pharmacies and grocery stores open and
13 keeping our buildings clean. How can we tell them
14 thanks for making sure the city kept running while
15 the rest of us worked from home and then also tell
16 them that they don't care and they don't have a real
17 voice in government?

18 They have no real way of holding the powerful
19 accountable. We shouldn't be afraid of letting more
20 New Yorkers participate in our democracy. We should
21 be leading the fight to expand voting rights and be a
22 model for the rest of the country. So many other
23 places are taking away peoples voting rights. We
24 have to stand up and fight back against voter
25 suppression disenfranchisement.

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 213

2 New York City has to lead the country and say
3 that people who live here who make New York City what
4 it is, should be able to choose their elected
5 leadership. 34 Council Members have already put
6 their names on this bill. That is more than enough
7 votes to pass. I urge the City Council to do the
8 right thing and pass this legislation immediately.
9 Thank you.

10 CHAIRPERSON LEVIN: Thank you very much. Thank
11 you.

12 COMMITTEE COUNSEL: Thank you. I'd now like to
13 welcome Enan Nasim to testify followed by Lea Giddins
14 and then Mama Sama. Iman Nassum, you may begin upon
15 the Sergeants announcement.

16 SERGEANT AT ARMS: Time starts now.

17 COMMITTEE COUNSEL: We can come back to Iman
18 Nassum. It sounds like there is an audio issue.
19 We'll come back. I'd now like to welcome Lea Giddins
20 to testify followed by Mama Sama and then Towaki
21 Komatsu. Lea Giddins, you may begin upon the
22 Sergeants announcement.

23 SERGEANT AT ARMS: Time starts now.

24 LEA GIDDINS: Hello, thank you to Chair Cabrera,
25 Council Member Levin and members of the New York City

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 214

2 Council Committee on Governmental Operations for the
3 opportunity to testify today. My name is Lea Giddins
4 and I am the Senior Program and Policy Manager at
5 Women Creating Change, which is a nonprofit that
6 increases civic engagement for women in New York
7 City, specifically for those who have systemically
8 excluded from civic processes.

9 I am testifying today in support of Intro. 1867
10 to expand voting rights to nearly one million New
11 Yorkers with work authorizations, and green cards.
12 At WCC, we have been advocating for voting rights and
13 civic engagement for more than 100 years. Having
14 been directly involved in the women's suffrage
15 movement, WCC is proud to raise our voices once again
16 to expand democracy as part of the Our City Our Vote
17 Coalition.

18 As many others have shared today, immigrants have
19 always been vital to our city and never has that been
20 more true than during the pandemic. As other have
21 shared, half of all frontline essential workers are
22 immigrants and one in five are noncitizens. New York
23 City cannot have a fair and just COVID-19 recovery
24 plan if the New Yorkers who are most effected by the
25 pandemic cannot vote for the people who will make

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 215

2 these recovery decisions. We owe it to our frontline
3 heroes to finally include their voices and their
4 votes as our city moves forward.

5 In New York City, the city of immigrants,
6 democracy should be inclusive of and accountable to
7 everyone who calls it home. The city should be
8 encouraging greater civic engagement and mobilizing
9 our communities to advocate for good public policies
10 that invest in and enhance our city. Expanding the
11 right to vote in city elections provides more New
12 Yorkers to have the opportunity to have a say on
13 issues that affect them and will strengthen the
14 voices of all our communities.

15 On a personal note, I was born and raised in New
16 York City and I've lived here most of my life. I
17 want all my neighbors to have the right to
18 participate in this core civic process. Passing
19 Intro. 1867 is the right thing to do and it would
20 make me even prouder to be a lifelong New Yorker.

21 Thank you to the more than 34 City Council
22 members who already support this bill and especially
23 to thank you to Council Member Rodriguez. I urge the
24 Council to immediately put this bill to a vote to
25 realize a more just and equitable democracy. WCC

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 216

2 looks forward to partnering with the City Council to
3 create the fully enfranchised, just, and
4 representative city that we know is possible. Thank
5 you so much for your time today.

6 COMMITTEE COUNSEL: Thank you. I'd now like to
7 welcome Mama Sama to testify followed by Towaki
8 Komatsu. Mama Sama, you may begin upon the Sergeants
9 announcement.

10 SERGEANT AT ARMS: Time starts now.

11 MAMA SAMA: Good evening everyone and members of
12 the Committee. My name is Mama Sama, I'm the Civic
13 Education Program Coordinator for the Muslim
14 Community Network, MCN.

15 As a citywide organization, MCN strive to double
16 up leadership, social and political participation of
17 Muslim by providing them with skills and the ability
18 to change the public narrative around Muslim in our
19 city. Thank you for the opportunity to testify on
20 behalf of the Introduction of 1867.

21 First, I'm here first speaking as a New Yorker
22 but also a New Yorker who experienced what it is like
23 to be an immigrant in our city. I want to start off
24 by sharing a snap chat of my story. I moved from one
25 of the least democratic and poorest African country

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on the face of the earth to the Bronx in 2013.

Despite language barriers and my very limited education background, I was given the opportunity to start over and attend high school to a noncitizen education program like the partnership of the New York City Department of Education and International Network.

There I was eventually awarded a scholarship of \$220,000 to one of the top liberal arts school of the state. I graduated last year with a bachelor's degree in economics and I'm currently working to give back to the community that welcomed me and nurtured me. I share my story because I want to acknowledge and thank those who paved the way for me as a young immigrant and my peers to come into this city and be given a voice to educate myself and participate. Which eventually led to the first step of my academic success.

To me and the rest of the immigrant community, Introduction 1867 isn't any different. This bill allows the opportunity for our democracy to give a voice for almost one million fellow New Yorker in fully contributing and deciding what is right for them in their city.

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 218

2 Council Members, I urge you all to put your name
3 on this bill, as it is not only the right thing to do
4 but also, we would be proud to say that you have a
5 lot more New Yorkers to participate in the democratic
6 process of the city. Thank you so much.

7 COMMITTEE COUNSEL: Thank you. I'd now like to
8 welcome Towaki Komatsu to testify followed by Nicole
9 Rojas and then Leticia Reyes. Towaki Komatsu, you
10 may begin upon the Sergeants announcement.

11 SERGEANT AT ARMS: Time starts now.

12 TOWAKI KOMATSU: Can you hear me?

13 COMMITTEE COUNSEL: Yes, we can hear you.

14 CHAIRPERSON LEVIN: Yes, we can hear you.

15 TOWAKI KOMATSU: Hi, this is Towaki Komatsu. Mr.
16 Levin, I've testified in numerous meetings that
17 you've demounted. I've testified to you about the
18 fact that I was legally prevented from attending
19 public meetings. This meeting today, this hearing
20 today is about voters rights, voters suppression.

21 Uhm, I've got some audio recordings from the CCRB
22 about complaints I filed against NYPD Inspector
23 Howard Redmond, the Mayor's Head of Security. So,
24 with regards to the audience for this meeting, uhm,
25 this is what he had to say to Judith Le of the CCRB

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about why he was excluding me from public meetings that were public forums.

[PLAYING RECORDING 4:36:00-4:37:01].

Anyway, uhm, so yeah, this meeting today is about voting rights, voter suppression. In three days the Mayor is going to have a public meeting in Kew Gardens. That was the first time on July 18, 2017, where Michael Garlin and Gloria Pastino(SP?) in journalism, they were standing right in front of us while I was talking to the Mayor. I told the Mayor that Mr. Redmond kept me out of his April 27, 2017, Townhall before Mr. Levin.

I called you on October 2017 that was being illegally kept out of your public townhall meeting in St. Francis College in Brooklyn. You told me that there was nothing that you could do in spite of the fact that you were the moderator of the meeting and you had a duty to New York City Charter 1116 to intervene.

So, currently I've got federal litigation and I'm going to be filing a brief in that lawsuit basically against most of the City Council Members. I'm going to also submit written testimony for further details but for the members of the audience, if they want to

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 220

2 intervene, take a look at the case of Komatsu vs.
3 City of New York. The case number is 20CV7046. It's
4 assigned to the Southern District, assigned to
5 Federal Judge Edgardo Ramos. If you are looking to
6 intervene in that case, I would love to have you.
7 That's the end of my testimony.

8 COMMITTEE COUNSEL: Thank you. Thank you Mr.
9 Komatsu, thank you. I'd now like to welcome Nicole
10 Rojas to testify followed by Leticia Reyes and then
11 Steven Espinoza. Nicole Rojas, you may begin upon
12 the Sergeants announcement.

13 SERGEANT AT ARMS: Time starts now.

14 NICOLE ROJAS: Thank you. Good evening everyone.
15 Thank you for holding this hearing and for allowing
16 me to testify. My name is Nicole Rojas and I am the
17 Community Organizer at Mixteca Organization.

18 Mixteca Organization is a community-based
19 organization located in Sunset Park Brooklyn that
20 addresses the critical needs in health, education,
21 social and legal issues of facing the burdening
22 Mexican and Latin American immigrant community.

23 Over the years, our space has become a second
24 home to community members. It's a safe space to
25 receive services free of cost in their language. We

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are asking for your support for Intro. 1867 to allow immigrants the right to vote in municipal elections. What attracts immigrants to the country? It is the opportunity and the freedom yet, every day they are being denied of their basic rights to use their voice and vote for decisions and decision makers that impact their every day lives.

We often have community members who seek support in applying for citizenship in Spanish. To qualify to take the citizenship test in Spanish, one must be over 50 and have been a resident for at least 20 years or over 55 and be a resident for at least 15 years.

And you may ask, why can't they just learn English? For some community members we serve, who seek to become citizens, learning English would be their third language as they come from indigenous communities. Language barriers is just one of the many barriers that our community faces to become citizens. They spend most of their lives as New York residents contributing to New York yet have no say in their local government. Our Latin American and indigenous communities is made up of essential workers who are on the frontlines and continue to be

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2 to keep the city going. They were one of the most
3 affected communities and continue to be to this day.
4 We will see the long lasting effects of this pandemic
5 and we need the immigrant community involved in
6 democracy to be able to actually heal and recover in
7 community. We cannot keep excluding our community,
8 especially in these difficult moments. They need to
9 have a say in the decision making process in order
10 for New York to recover. Not for some but for all.
11 Thank you.

12 COMMITTEE COUNSEL: Thank you. I'd now like to
13 welcome Leticia Reyes to testify followed by Steven
14 Espinoza and then Shola Oyelohunnu. Leticia Reyes,
15 you may begin upon the Sergeants announcement.

16 SERGEANT AT ARMS: Time starts now.

17 LETICIA REYES: Thank you very much. Sorry for
18 the noise [INAUDIBLE 4:41:15]. My name is Leticia
19 Reyes, I am 48-years-old, mother of six children and
20 I am originally from Mexico. As a Mexican immigrant,
21 I know the challenges we had to face with a new
22 language but that's no matter for us because we are
23 here learning.

24 Can you see us? We are coworkers, neighbors and
25 friends. Many of us had employment authorization,

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2 but we are and we are working here. We are watching
3 our children grow and many of us have lived in the
4 city for a long time. We are here making our city
5 grow more and more. We are working very hard because
6 New York is our city, is our home. We live here with
7 our families and for this reason we want to have the
8 right to vote for our city leaders.

9 I am here and I want to vote. I am living here
10 and I want to vote. I want to be accounted for and I
11 deserve the right to vote like everyone else. We
12 live in democracy and almost one million New Yorkers
13 are denied their rights. We want to make the
14 decisions that effect our lives every single day. I
15 lived in Brooklyn for more than 15 years and I serve
16 my community as PTA President at my daughters school
17 for four years. A School Safety Member for four
18 years at PS 157. I was a member of CC for two years
19 and New York Department of Job and Community
20 Development District 14 as uhm, Chair for two terms
21 and secretary for one term. And the last year, I
22 [INAUDIBLE 4:43:19]. But I want to be accounted for
23 more and I have the right to vote. Thank you very
24 much for the opportunity to be here.

25 COMMITTEE COUNSEL: Thank you.

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 224

2 CHAIRPERSON LEVIN: Thank you very much Leticia.

3 COMMITTEE COUNSEL: I'd now like to welcome
4 Steven Espinoza to testify followed by Shola
5 Oyelohunnu followed by Enan Nasim. Steven Espinoza,
6 you may begin upon the Sergeants announcement.

7 SERGEANT AT ARMS: Time starts now.

8 STEVEN ESPINOZA: Good morning members of the
9 Committee. My name is Steven Espinoza. Thank you
10 for the opportunity to testify on such a critical
11 bill. A bill designed to expand voting rights in New
12 York City elections to nearly one million noncitizen
13 New Yorkers. I am here today in support of the
14 undercounted voters to demand their voices be heard.

15 In every election, the future of our city is put
16 at stake. Our elections attempt to tackle issues New
17 Yorkers face from economic uncertainty, racial
18 injustice to proving quality health care and public
19 education. Yet, there are nearly one million
20 noncitizen New Yorkers who are left out of the voting
21 process. A 2019 voter report concluded that minority
22 turnout is consistently lower than turnout among
23 White voters. And that, this pattern can be
24 attributed to the longstanding historical barriers to
25 participation for minorities.

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2 There are consequences to this. I've seen it
3 first hand within my own community Sunset Park
4 Brooklyn. A dire housing crisis where families are
5 being forced out to move out of their home because of
6 rent they can no longer afford. How can we fully
7 address an issue like this if we are baring the right
8 to vote to those struggling the most?

9 There are an estimated 16,000 noncitizens in
10 community district 7, which includes Sunset Park.
11 These 16,000 immigrants are families, students and
12 workers of our community. But we don't account them
13 for them in our elections, yet we do hold them
14 accountable to paying taxes and obeying our laws. I
15 am privileged to have the right to vote but these
16 thousands upon thousands of noncitizens deserve that
17 right as much as I do.

18 The noncitizens who we deny the vote are the same
19 New Yorkers who are teachers and students, physicians
20 and nurses and transit and construction workers.
21 They are the working class of our city but we are
22 saying no to the immigrant Mexican mother who wants
23 to improve a child's education. Or to the 75-year-
24 old Chinese immigrant who has lived here for 25 years
25 who just wants quality health care.

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We say no to them simply because they are not citizens. But it is time to change it. It is long overdue to change our undemocratic voting laws and pass Introduction 1867. We are demanding with the almost million undercounted voters in New York City to urge you all to pass this bill. We are just asking for the bare minimum. Let their voices be heard. Thank you and thank you for your time.

COMMITTEE COUNSEL: Thank you. I'd now like to welcome Shola Oyelohunnu to testify followed by Enan Nasim. Shola Oyelohunnu, you may begin upon the Sergeants announcement.

SERGEANT AT ARMS: Time starts now.

SHOLA OYELOHUNNU: Good afternoon everybody. My name is Shola Oyelohunnu, I am a Member of African Communities Together, ACT. It is one of the coalition members of our city vote.

I want to thank the Committee for giving me the opportunity to testify on behalf of Introduction 1867 to expand voting rights in New York City elections to nearly one million noncitizen New Yorkers. We live in a democratic society, nearly one million of fellow New Yorkers are denied the right to vote, this,

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2 coworkers, neighbors, and friends. Many of them have
3 lived in this city for a very long time.

4 These New Yorkers have been contributing to our
5 city and have been paying taxes and started almost
6 half of all the small businesses in the city. Many
7 are active in their communities and yet, back in
8 June, one million of these people were unable to
9 choose the elected officials who make decisions that
10 effect their lives every day. And I am one of such
11 immigrants. I am one of such essential worker and I
12 was not able to vote.

13 During the ongoing pandemic, half of all the
14 frontline essential workers are immigrants and one in
15 five are noncitizen New Yorkers. We ask them to
16 reach the lives serving as medical professionals,
17 keeping pharmacies and grocery stores open and
18 keeping our buildings clean. There's no better way
19 to tell them thank you for doing all this for us if
20 we don't allow them the right to vote.

21 Or do we say that we don't care? That they don't
22 have a real voice in government? That they have no
23 real way to hold the powerful accountable? So much
24 has already been said by other testifiers but I just
25 want to say quickly that uhm, we shouldn't be afraid

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2 of letting more New Yorkers participate in our
3 democracy. We should be leading the fight to expand
4 voting rights and be a model for the rest of the
5 country. Other places are taking away peoples voting
6 rights. They are standing up and fighting back
7 against voter suppression and disenfranchisement.
8 New York City has to lead the country and see that
9 people who live here, who make New York City what it
10 is should be able to choose their elected leadership.

11 33 Council Members have put their names on this
12 bill. We feel that that is more than enough for us
13 to pass. So, we urge the city to do the right thing
14 and pass this legislation immediately. Thank you for
15 giving me this opportunity. Bye, Bye.

16 COMMITTEE COUNSEL: Thank you. I'd now like to
17 welcome Enan Nasim to testify. Enan Nasim.

18 SERGEANT AT ARMS: Time starts now.

19 SERGEANT PEREZ: Uhm, we can't hear Ms. Nasim.

20 SERGEANT AT ARMS: I think you're having audio
21 connectivity issues.

22 SERGEANT AT ARMS: Ms. Nasim, you can try logging
23 out of the meeting and then logging back in if you
24 want to try that.
25

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 229

2 SERGEANT AT ARMS: This is Chief Sergeant at
3 Arms, Counsel to the Committee, we have more people
4 on the list. Call the next one while Ms. Nasim logs
5 back in please. Thank you.

6 COMMITTEE COUNSEL: I don't believe there is
7 anyone else on the list Sergeant.

8 SERGEANT AT ARMS: Got it.

9 SERGEANT AT ARMS: She is coming back in now.

10 SERGEANT AT ARMS: Yeah, sorry, we still have no
11 audio on you Ms. Nasim. No, we still don't hear you.
12 Unless you have a headset you could plug in, maybe
13 that would work.

14 ENAN NASIM: Can you hear me now?

15 SERGEANT AT ARMS: Alright, we got you now.

16 CHAIRPERSON LEVIN: Okay.

17 SERGEANT AT ARMS: Starting time.

18 ENAN NASIM: Sorry about the voice. I wasn't
19 sure why my computers not working. My name is Enan
20 Nasim. Thank you so much for giving me this
21 opportunity. I am a DACA Recipient. I want to say
22 on behalf of all noncitizens, that we all deserve to
23 work or vote because we've been working here for a
24 long time. We live in the U.S. and we pay taxes. We
25 need the system to change. We need a better, uhm, a

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2 better candidate to represent New York and the whole
3 USA that will improve the city. Will do better every
4 ones live because all the issues that matter and make
5 everyone's life living easier.

6 That's why I want to vote, I want to have the
7 legal right to vote, so that way everyone else in
8 this country living can vote and we all have all the
9 equal rights like everyone else living in the U.S.

10 And yeah, I just wanted to make it short and
11 simple. All I am trying to say is that we all
12 deserve to vote for New York City. Everyone works
13 hard over here. We've been living for too many years
14 in here. We all pay taxes. Because of COVID, a lot
15 of people have lost jobs and stuff and a lot of
16 people who were essential workers were immigrants.

17 Voting will change the way our equality people
18 get in this state. We'd like to choose the right
19 candidate. Who will actually do things better for
20 this country. Like, fix all the issues that matter
21 that goes on, that goes years and years and change
22 the law. The laws are very outdated and very old,
23 that doesn't even improve and this is like 21st
24 Century and we've been stuck with the same issues
25 that never get fixed. The power of some people who

1 COMMITTEE ON GOVERNMENTAL OPERATIONS

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2 doesn't want to change the system and we are in the
3 same circle of the same kind of people who have been
4 doing the same thing and the country hasn't improved.
5 The world is changing. A lot of countries have
6 improved in so many ways but I don't see that
7 improvement in the U.S.. I want to see that
8 improvement. Like, we live in such a big country but
9 there are so many things, so many matters, so many
10 issues, it's still so outdated that doesn't get
11 improved. And we have really ourself with the same
12 circle of people running the politics who doesn't
13 want to change the system.

14 So, I want to know, why can't we change that?
15 Why do we have to be stuck with the same old repeated
16 and repeated things that are not even getting
17 changed? Like, why don't, everybody has a right in
18 this country equally to improve the country? That's
19 all. Thank you.

20 CHAIRPERSON LEVIN: Thank you so much Enan.
21 Thank you.

22 COMMITTEE COUNSEL: Thank you. I believe that
23 concludes the witnesses who have registered and are
24 on the Zoom call. So, at this time, if your name has
25

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 232

2 not been called and you wish to testify, please raise
3 your hand using the Zoom raise hand function.

4 Seeing no hands raised, I'll now turn it over to
5 Chair Levin for closing remarks.

6 CHAIRPERSON LEVIN: Uhm, thank you so much to
7 all, sorry, I apologize if you hear my son in the
8 background. I want to thank all Committee Staff CJ
9 Murray, Emily Forgione, Elizabeth Kronk and Sebastian
10 Bacchi for their work on this hearing. I want to
11 thank all the members of the public that came to
12 testify. Uhm, experts in the field of immigration
13 law, the Board of Elections, the representatives from
14 the de Blasio Administration, Campaign Finance Board.
15 I greatly appreciate everybody's testimony and work
16 on this issue. Uhm, it's my hope that we can all
17 work collaboratively and collectively over the coming
18 months to advance this piece of legislation. And I
19 want to thank especially Council Member Ydanis
20 Rodriguez for his steadfast advocacy in this bill and
21 stewardship in the legislative process.

22 And with that, at 3:26 p.m., this hearing is
23 adjourned. [GAVEL]

24 COMMITTEE COUNSEL: Thank you.
25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 23, 2021

Exhibit 3

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

STATED MEETING OF THE
NEW YORK CITY COUNCIL

----- X

December 9, 2021
Start: 2:19 p.m.
Recess: 6:00 p.m.

HELD AT: Hybrid Hearing -
Council Chambers City Hall

B E F O R E: Corey Johnson
Speaker

COUNCIL MEMBERS: Adrienne Adams
Alicka Ampry-Samuel
Diana Ayala
Inez D. Barron
Joseph Borelli
Justin. L Brannan
Selvena Brooks-Powers
Tiffany Cabán
Fernando Cabrera
David Carr
Robert Cornegy, Jr.
Darma Diaz
Ruben Diaz
Eric Dinowitz
Daniel Dromm
Mathieu Eugene
Oswald Feliz

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

James F. Gennaro
Vanessa L. Gibson
Mark Gjonaj
Barry S. Grodenchik
Robert F. Holden
Ben Kallos
Peter Koo
Karen Koslowitz
Brad S. Lander
Stephen T. Levin
Mark Levine
Farah Louis
Alan N. Maisel
Carlos Menchaca
I. Daneek Miller
Francisco Moya
Bill Perkins
Keith Powers
Antonio Reynoso
Kevin Riley
Carlina Rivera
Ydanis Rodriguez
Deborah L. Rose
Helen K. Rosenthal
Rafael Salamanca, Jr.
Mark S. Treyger
Eric A. Ulrich
Peter Vallone
James G. Van Bramer
Inna Vernikov
Kalman Yeger
Laurie Cumbo

Reverend Paul Daniels
Cathedral of Saint John the Divine

1 NEW YORK CITY COUNCIL STATED MEETING 4

2 SERGEANT AT ARMS: Good afternoon,
3 everyone. Welcome to today's New York City Council
4 Stated Meeting. At this time would all panelists
5 please turn on your videos? To minimize disruption,
6 please place electronic devices to vibrate or silent.
7 Thank you. We are ready to begin.

8 COUNCIL CLERK: Ladies and gentleman, at
9 this time, please place all electronic devices, all
10 electronic devices, to vibrate. Thank you for your
11 cooperation. Madam Majority Leader?

12 COUNCIL MEMBER CUMBO: Good afternoon and
13 welcome to the Stated Meeting of December 9th, 2021.
14 I am Majority Leader Laurie Cumbo, and I'd like to
15 thank you for joining us. If you'd like to follow
16 along, the agenda for today's meeting is posted on
17 our website.

18 COUNCIL CLERK: Please join us for the
19 Pledge Allegiance.

20 SERGEANT AT ARMS: All rise.

21 COUNCIL CLERK: I pledge allegiance to
22 the flag of the United States of America and to the
23 Republic for which it stands, one nation under God,
24 indivisible with liberty and justice for all.

25 COUNCIL MEMBER CUMBO: Roll call.

1 NEW YORK CITY COUNCIL STATED MEETING 5

2 COUNCIL CLERK: Adams?

3 COUNCIL MEMBER ADAMS: Present.

4 COUNCIL CLERK: Ampy-Samuel?

5 COUNCIL MEMBER AMPRY-SAMUEL: Present.

6 COUNCIL CLERK: Ayala?

7 COUNCIL MEMBER AYALA: Present.

8 COUNCIL CLERK: Barron?

9 COUNCIL MEMBER BARRON: Present. Blessed

10 and present.

11 COUNCIL CLERK: Thank you. Brannan?

12 COUNCIL MEMBER BRANNAN: Present.

13 COUNCIL CLERK: Brooks-Powers? Cabán?

14 COUNCIL MEMBER CABÁN: Present.

15 COUNCIL CLERK: Cabrera? Carr? Chin?

16 COUNCIL MEMBER CHIN: Present.

17 COUNCIL CLERK: Cornegy?

18 COUNCIL MEMBER CORNEGY: Presente.

19 COUNCIL CLERK: Darma Diaz?

20 COUNCIL MEMBER DIAZ: Present.

21 COUNCIL CLERK: Ruben Diaz?

22 COUNCIL MEMBER DIAZ: Presente.

23 COUNCIL CLERK: Dinowitz?

24 COUNCIL MEMBER DINOWITZ: Present

25 COUNCIL CLERK: Dromm?

1 NEW YORK CITY COUNCIL STATED MEETING 6

2 COUNCIL MEMBER DROMM: Present.

3 COUNCIL CLERK: Eugene?

4 COUNCIL MEMBER EUGENE: Present.

5 COUNCIL CLERK: Feliz?

6 COUNCIL MEMBER FELIZ: Presente.

7 COUNCIL CLERK: Gennaro?

8 COUNCIL MEMBER GENNARO: Here.

9 COUNCIL CLERK: Gibson?

10 COUNCIL MEMBER GIBSON: Here.

11 COUNCIL CLERK: Gjonaj? Grodenchik?

12 COUNCIL MEMBER GRODENCHIK: Here.

13 COUNCIL CLERK: Holden?

14 COUNCIL MEMBER HOLDEN: Here.

15 COUNCIL CLERK: Kallos?

16 COUNCIL MEMBER KALLOS: Here.

17 COUNCIL CLERK: Koo? Koslowitz?

18 COUNCIL MEMBER KOO: Present.

19 COUNCIL CLERK: Thank you. Koslowitz?

20 Lander?

21 COUNCIL MEMBER LANDER: Here.

22 COUNCIL CLERK: Levin?

23 COUNCIL MEMBER LEVIN: Here.

24 COUNCIL CLERK: Levine?

25 COUNCIL MEMBER LEVINE: Here.

1 NEW YORK CITY COUNCIL STATED MEETING 7
2 COUNCIL CLERK: Louis?
3 COUNCIL MEMBER LOUIS: Present.
4 COUNCIL CLERK: Maisel? Menchaca?
5 COUNCIL MEMBER MENCHACA: Presente.
6 COUNCIL CLERK: Miller? Moya? Perkins?
7 Powers?
8 COUNCIL MEMBER POWERS: Present.
9 COUNCIL CLERK: Reynoso? Riley?
10 COUNCIL MEMBER RILEY: Present.
11 COUNCIL CLERK: Rivera?
12 COUNCIL MEMBER RIVERA: Present.
13 COUNCIL CLERK: Rodriguez?
14 COUNCIL MEMBER RODRIGUEZ: Here.
15 COUNCIL CLERK: Rose?
16 COUNCIL MEMBER ROSE: Here.
17 COUNCIL CLERK: Rosenthal?
18 COUNCIL MEMBER ROSENTHAL: Here.
19 COUNCIL CLERK: Salamanca?
20 COUNCIL MEMBER SALAMANCA: Present.
21 COUNCIL CLERK: Treyger?
22 COUNCIL MEMBER TREYGER: Here.
23 COUNCIL CLERK: Ulrich? Vallone?
24 COUNCIL MEMBER VALLONE: Here.
25 COUNCIL CLERK: Van Bramer?

1 NEW YORK CITY COUNCIL STATED MEETING 8

2 COUNCIL MEMBER VAN BRAMER: Here.

3 COUNCIL CLERK: Vernikov? Yeger?

4 COUNCIL MEMBER YEGER: Here.

5 COUNCIL CLERK: Borelli? Cumbo?

6 COUNCIL MEMBER CUMBO: Present.

7 COUNCIL CLERK: Speaker Johnson?

8 SPEAKER JOHNSON: Here.

9 COUNCIL MEMBER CUMBO: Thank you so much.

10 We will now have today's invocation which will be
11 delivered by the Reverend Paul Daniels, Spiritual
12 Leader at the Cathedral of Saint John the Divine
13 located at 1047 Amsterdam Avenue and Manhattan. We
14 welcome you.

15 SERGEANT AT ARMS: All stand. Please
16 Rise.

17 REVEREND PAUL DANIELS: Let us pray. Oh
18 God of Life in whom we live, move and have our being.
19 We stand before your singular truth and justice as
20 mere mortals. Often indeed we seek after the right,
21 the good, the light, and often indeed we fail. And
22 so we stand before your singular truth and justice
23 with ready hearts and minds that know the right, the
24 good, and the light, come through the power of your
25 free grace and love alone. Give to all gathered here

1 NEW YORK CITY COUNCIL STATED MEETING 9

2 today the wisdom of humility, the spirit of justice,

3 and a hunger for your singular truth and justice.

4 May the eyes of our leaders in this city be turned to

5 the suffering of its people, their hearts attuned to

6 empathy, and their minds fixed on the transformation

7 of pestilence into power, poverty into plenty, and

8 justice into peace. In your one holy and gracious

9 name we pray, amen.

10 COUNCIL MEMBER CUMBO: Thank you so much

11 Reverend Paul Daniels. We so appreciate your

12 presence here today. If you would hold for one

13 moment, because I would now like to ask Council

14 Member Mark Levine to spread the invocation onto the

15 record and to let us know a little bit more about how

16 he knows you.

17 COUNCIL MEMBER LEVINE: Thank you, Madam

18 Majority Leader, and most of all, thank you Reverend

19 Paul Daniels for your presence here today, for your

20 inspirational words. I have the honor to represent

21 your home base, the Cathedral of Saint John the

22 Divine in New York City in the heart of Morningside

23 Heights, and I want to share with everyone that you

24 are currently an assistant clergy member there at the

25 Cathedral. You grew up in Raleigh, North Carolina.

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Reverend Daniels was a parishioner of Saint Ambrose Episcopal Church and was ordained in the Episcopal Church of the Good Shepherd in Raleigh, North Carolina on December 12th, 2020. The Reverend Daniels holds a Bachelor of Arts in Philosophy from Morehouse College. He then became a fellow at the Global Partnerships of the Episcopal Church for two years in Grahamstown, South Africa. This was followed by the Reverend Daniels pursuing a Masters of Divinity from Yale University. Reverend Daniels has been influenced by the writings of Howard Thurman, a renowned scholar who was involved in the Civil Rights movement and served as a mentor to the Reverend Doctor Martin Luther King. Reverend Daniels is currently pursuing a PHD in Systematic Theology at Fordham University and his research interest live at the intersections of Black Theology, Christian Mysticism, and Black Critical Philosophy. For fun he loves to read, take long walks, and he enjoys cooking. Thank you again Reverend Daniels for your service to our community and for your presence here today. Thank you. Back to you, Matt. Do I need to say the official wording? Yes, I do. I would like

1 NEW YORK CITY COUNCIL STATED MEETING 11
2 to make a motion for unanimous consent to spread the
3 invocation in full upon the record.

4 COUNCIL MEMBER CUMBO: Thank you so much
5 Council Member Levine and to Reverend Daniels.
6 Aren't you glad you stood around to hear your
7 accolades? And I also want to note that you also
8 have a Spellman [sic] sister here in Council Member
9 Adrienne Adams. We thank you so much for being here,
10 and we thank you for sharing your energy and your
11 talent and your prayer with us today. Thank you so
12 much. Thank you so much Council Member Levine. We
13 will now have the adoption of minutes by Council
14 Member Mark Treyger.

15 COUNCIL MEMBER TREYGER: I make a motion
16 that the minutes of the Stated Meeting of November
17 10th, 2021 be adopted as printed.

18 COUNCIL MEMBER CUMBO: Messages and papers
19 from the Mayor.

20 COUNCIL CLERK: None.

21 COUNCIL MEMBER CUMBO: Communication from
22 City, County, and Borough Offices?

23 COUNCIL CLERK: M349 Certification of
24 Election of Tiffany Cabán, new Council Member 22nd
25 District.

1 NEW YORK CITY COUNCIL STATED MEETING 12

2 SPEAKER JOHNSON: Received, ordered,
3 printed, and filed, and I want to congratulate
4 Council Member Tiffany Cabán for joining us today at
5 the first Stated Meeting of the City Council.
6 Congratulations, Council Member Cabán. Welcome.
7 Very happy to have you here.

8 COUNCIL CLERK: M350 Certification of
9 election of Inna Vernikov, new Council Member 48th
10 District.

11 SPEAKER JOHNSON: Received, ordered,
12 printed, and filed, and we want to welcome Council
13 Member Inna Vernikov to her first Stated Meeting of
14 the New York City Council. Congratulations, Council
15 Member.

16 COUNCIL CLERK: M-- excuse me. M351,
17 certification of election of David M. Carr, new
18 Council Member 50th District.

19 SPEAKER JOHNSON: Received, ordered,
20 printed, and filed, and I'm really, really happy to
21 congratulate someone I've known a long time, Council
22 Member David Carr, his election to the New York City
23 Council. Welcome, Council Member Carr, to your first
24 Stated Meeting of the New York City Council.
25

NEW YORK CITY COUNCIL STATED MEETING 13

COUNCIL CLERK: M352 Certification of
November 2nd, 2021, General Election for City Council
Members.

SPEAKER JOHNSON: Received, ordered,
printed, and filed.

COUNCIL CLERK: M353 New York City's debt
incurring power.

SPEAKER JOHNSON: Received, ordered,
printed, and filed.

COUNCIL MEMBER CUMBO: Petitions and
communications.

COUNCIL CLERK: M354 and 355 Resignation
of Steven Matteo as Minority Leader, and appointment
of Joseph C. Borelli as new Minority Leader.

SPEAKER JOHNSON: Received, ordered,
printed, and filed. And congratulations to my
friend, Minority Leader Joe Borelli.

COUNCIL CLERK: M356 Resignation of
Steven Matteo as Council Member 50th District.

SPEAKER JOHNSON: Received, ordered,
printed, and filed. We're going to miss Steve. He's
a great guy.

COUNCIL MEMBER CUMBO: Land Use Call-ups.

COUNCIL CLERK: M357.

1 NEW YORK CITY COUNCIL STATED MEETING 14

2 SPEAKER JOHNSON: I'm going to ask that
3 the clerk take a roll call vote on today's Land Use
4 Call-ups. Remember, members who are both here online
5 and in-person, we are just at this moment voting on
6 Land Use Call-ups. So, clerk, if you could take the
7 role.

8 COUNCIL CLERK: Adams?

9 COUNCIL MEMBER ADAMS: Aye on all.

10 COUNCIL CLERK: Council Member Adams
11 votes aye on all. Ampry-Samuel?

12 COUNCIL MEMBER AMPRY-SAMUEL: Aye.

13 COUNCIL CLERK: Council Member Ampry-
14 Samuel votes aye. Ayala?

15 COUNCIL MEMBER AYALA: Aye.

16 COUNCIL CLERK: Council Member Ayala
17 votes aye. Barron?

18 COUNCIL MEMBER BARRON: I vote aye.

19 COUNCIL CLERK: Thank you. Brannan?

20 COUNCIL MEMBER BRANNAN: Aye.

21 COUNCIL CLERK: Brooks-Powers?

22 COUNCIL MEMBER BROOKS-POWERS: Present

23 [sic].

24 COUNCIL CLERK: Cabán?

25 COUNCIL MEMBER CABÁN: Aye.

1 NEW YORK CITY COUNCIL STATED MEETING 15

2 COUNCIL CLERK: Council Member Cabán

3 votes aye. Cabrera? Carr?

4 COUNCIL MEMBER CARR: Aye.

5 COUNCIL CLERK: Council Member Carr votes

6 aye. Chin?

7 COUNCIL MEMBER CHIN: I vote aye.

8 COUNCIL CLERK: Council Member Chin votes

9 aye. Cornegy?

10 COUNCIL MEMBER CORNEGY: I vote aye.

11 COUNCIL CLERK: Thank you. Darma Diaz?

12 COUNCIL MEMBER DIAZ: Aye.

13 COUNCIL CLERK: Council Member Darma Diaz

14 votes aye. Ruben Diaz?

15 COUNCIL MEMBER DIAZ: Si.

16 COUNCIL CLERK: Thank you. Dinowitz?

17 COUNCIL MEMBER DINOWITZ: Council Member

18 Dinowitz vote aye. Dromm?

19 COUNCIL MEMBER DROMM: Aye.

20 COUNCIL CLERK: Council Member Dromm vote

21 aye. Eugene?

22 COUNCIL MEMBER EUGENE: I vote aye.

23 COUNCIL CLERK: Thank you. Feliz?

24 UNIDENTIFIED: Aye on all.

25 COUNCIL MEMBER FELIZ: I vote aye.

1 NEW YORK CITY COUNCIL STATED MEETING 16

2 UNIDENTIFIED: [speaking Spanish]

3 COUNCIL CLERK: Gracias. Gennaro?

4 COUNCIL MEMBER GENNARO: Aye.

5 COUNCIL CLERK: Thank you. Gibson?

6 COUNCIL MEMBER GIBSON: Vote aye.

7 COUNCIL CLERK: Thank you. Gjonaj?

8 COUNCIL MEMBER GJONAJ: Aye.

9 COUNCIL CLERK: Council Member Gjonaj

10 votes aye. Grodenchik?

11 COUNCIL MEMBER GRODENCHIK: Yes.

12 COUNCIL CLERK: Council Member Grodenchik

13 votes yes. Holden?

14 COUNCIL MEMBER HOLDEN: Aye.

15 COUNCIL CLERK: Council Member Holden

16 votes aye. Kallos?

17 COUNCIL MEMBER KALLOS: Aye.

18 COMMITTEE CLERK: Council Member Kallos

19 vote aye. Koo?

20 COUNCIL MEMBER KOO: Aye.

21 COUNCIL CLERK: Thank you. Koslowitz?

22 COUNCIL MEMBER KOSLOWITZ: Aye.

23 COUNCIL CLERK: Council Member Koslowitz

24 votes aye. Lander?

25 COUNCIL MEMBER LANDER: Aye.

1 NEW YORK CITY COUNCIL STATED MEETING 17

2 COUNCIL CLERK: Council Member Lander
3 votes aye. Levin?

4 COUNCIL MEMBER LEVIN: Aye.

5 COUNCIL CLERK: Council Member Levin
6 votes aye. Levine?

7 COUNCIL MEMBER LEVINE: Aye.

8 COUNCIL CLERK: Council Member Levine
9 votes aye. Louis?

10 COUNCIL MEMBER LOUIS: Aye on all.

11 COUNCIL CLERK: Council Member Louis
12 votes aye. Maisel?

13 COUNCIL MEMBER MAISEL: Yes.

14 COUNCIL CLERK: Council Member Maisel
15 votes yes. Menchaca?

16 COUNCIL MEMBER MENCHACA: Aye.

17 COUNCIL CLERK: Council Member Menchaca
18 votes aye. Miller? Council Member Miller? Moya?

19 COUNCIL MEMBER MOYA: I vote aye.

20 COUNCIL CLERK: Thank you. Perkins?
21 Powers?

22 COUNCIL MEMBER POWERS: I vote aye.

23 COUNCIL CLERK: Thank you. Reynoso?

24 COUNCIL MEMBER REYNOSO: I vote aye.

25 COUNCIL CLERK: Thank you. Riley?

1 NEW YORK CITY COUNCIL STATED MEETING 18

2 COUNCIL MEMBER RILEY: I vote aye.

3 COUNCIL CLERK: Thank you. Rivera?

4 COUNCIL MEMBER RIVERA: Aye.

5 COUNCIL CLERK: Council Member Rivera

6 votes aye. Rodriguez?

7 COUNCIL MEMBER RODRIGUEZ: Aye.

8 COUNCIL CLERK: Council Member Rodriguez

9 votes aye. Rose?

10 COUNCIL MEMBER ROSE: Aye.

11 COUNCIL CLERK: Council Member Rose votes

12 aye. Rosenthal?

13 COUNCIL MEMBER ROSENTHAL: Aye.

14 COUNCIL CLERK: COUNCIL MEMBER Rosenthal

15 votes aye. Salamanca?

16 COUNCIL MEMBER SALAMANCA: I vote aye.

17 COUNCIL CLERK: Thank you. Treyger?

18 COUNCIL MEMBER TREYGER: Aye.

19 COUNCIL CLERK: Thank you. Ulrich?

20 Vallone?

21 COUNCIL MEMBER VALLONE: Aye on all.

22 COUNCIL CLERK: Thank you. Van Bramer?

23 COUNCIL MEMBER VAN BRAMER: Aye on all.

24 COUNCIL CLERK: Council Member Van Bramer

25 votes aye on all. Vernikov?

1 NEW YORK CITY COUNCIL STATED MEETING 19

2 COUNCIL MEMBER VERNIKOV: I vote aye.

3 COUNCIL CLERK: Vernikov votes aye on
4 all. Thank you. Yeger?

5 COUNCIL MEMBER YEGER: Aye.

6 COUNCIL CLERK: Council Member Yeger
7 votes aye. Council Member Brooks-Powers on Land Use
8 Call-ups?

9 COUNCIL MEMBER BROOKS-POWERS: Aye.

10 COUNCIL CLERK: Brooks-Powers votes aye.
11 Thank you. Borelli?

12 COUNCIL MEMBER BORELLI: Aye.

13 COUNCIL CLERK: Council Member Borelli
14 votes aye. Cumbo?

15 COUNCIL MEMBER CUMBO: I vote aye.

16 COUNCIL CLERK: Speaker Johnson?

17 SPEAKER JOHNSON: Aye.

18 COUNCIL MEMBER CUMBO: Today's Land Use
19 Call-ups have a vote of 47 in the affirmative and
20 zero negative.

21 SPEAKER JOHNSON: Council Member Gjonaj?

22 COUNCIL MEMBER CUMBO: We will now have
23 communication from Speaker Corey Johnson.

24 SPEAKER JOHNSON: Good afternoon. Happy
25 Thursday. Welcome to today's Stated Meeting. We

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have a very busy agenda ahead of us today, but before we delve into the agenda, I'd like to remind all members that masks are required to be worn throughout the Stated Meeting, even while speaking. Today, we are voting on 29 bills and a resolution to help us tackle some of the issue we face as a city, including a bill to allow non-citizen New Yorkers to vote in municipal elections. While across our nation voting participation is being challenged, here in New York City we are expanding it. Our city will become the largest municipality in the nation that will allow non-citizens to vote in local elections. This afternoon we're voting on several bills regarding traffic safety measures, another one allowing the Civilian Complaint Review Board to initiate its own complaints against members of the NYPD where alleged misconduct has occurred. Before we go any further, we just did it, but it's important to do it again. I want to extend a special welcome to our newest Council Members, Council Member Tiffany Cabán, Council Member Inna Vernikov, and Council Member David Carr. They were sworn in last week, and today they are taking part in their first Stated Meeting. Council Member Cabán represents District 22 in

1 NEW YORK CITY COUNCIL STATED MEETING 21
2 Queens. Council Member Vernikov represents District
3 48 in Brooklyn, and Council Member Carr represents
4 District 50 in Staten Island. Congratulations again
5 to all three of you. We are really grateful that you
6 are here today. Welcome. As we head into the winter
7 months, I want to ask everyone to remain vigilant as
8 we continue to battle COVID-19, especially in light
9 of the new variant. Omicron has arrived in New York
10 City. As with any of the previous variants, it
11 brings concern and worry. We must recommit ourselves
12 to ensuring we do all we can to fight this pandemic.
13 As of December 8th we have lost 34,925 New Yorkers to
14 COVID-19. It is critical that we keep wearing masks
15 in public spaces, stay home if you feel sick, and to
16 get vaccinated if you haven't already, and if you are
17 vaccinated, please get your booster shot. As I do at
18 every Stated Meeting, I'd like to a moment to
19 acknowledge some of the losses we have endured as a
20 city, Alvin Surriel Assistant Chief of FDNY EMS died
21 on Tuesday, December 7th. He became the 264th member
22 of the FDNY to succumb to an illness related to the
23 9/11 terrorist attack. He was a 32-year veteran of
24 the New York City Emergency Medical Service
25 Department, and he was only 52 years old. On

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December 3rd we lost probationary fire fighter Vincent Malvo [sp?]. He was at the FDNY training academy when he suffered a medical emergency. Probationary fire fighters Malvo was rushed to Harlem Hospital where he sadly died. He was only 31 years old. On November 26th we lost Stephen Sondheim, a Broadway legend who transformed the American stage musical. Born in Manhattan, Sondheim wrote the lyrics for Westside Story and Gypsy. During the 70s and 80s he created musicals such as Sweeney Todd, Company, which I saw the other day-- it was fabulous-- Follies, and Into the Woods. Sondheim wrote the music and the lyrics for more than a dozen Broadway shows. He was 91 years old. We also lost a member of our Council family. We mourn the death of Retired Sergeant at Arms Gerry Steffarie [sp?]. Gerry was an exemplary worker and retired from the Council in 2012. He is survived by his two daughters Julianne and Diana and his five grandchildren. If we could all rise and have a moment of silence for everyone that we have lost.

[moment of silence]

SPEAKER JOHNSON: Thank you. Okay, now jumping into our docket for the day. The Council

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will be voting on the following Finance items,
Introduction 1520A, sponsored by Council Member and
Finance Chair Danny Dromm, will require the
Department of Finance to report on the operations of
the Parking Violations Bureau. Introduction number
2458, sponsored by Council Member Dromm, would
authorize the Lowe East Side bid and the Hudson Yards
bid to increase their annual assessments. We have a
transparency resolution and five affordable housing
property tax exemptions, Hong Ning Senior Housing in
Council Member Margaret Chin's district, Johanna One
in Council Member Bill Perkins' district, 250 West
HDFC in Council Member Perkins' district, 1018 East
163rd Street in Council Member Rafael Salamanca's
district, and Seaview Estates in Council Member
Debbie Rose's district. The Council will be voting
on the following Land Use items: Citywide hotels text
amendment as modified would establish a special
permit for new hotels and for enlargements where
hotels are permitted as-of-right. The Council will
modify the vesting provisions for vacant sites in the
Theater District. Also included are the site
selections of a 572-seat primary school in Council
Member Paul Vallone's district, a 576-seat primary

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school in Council Member David Carr's district, an 801-seat high school in Council Member Daneek Miller's district, a new supportive space for the Hungerford School in Council Member Debbie Rose's district. Also in Council Member Rose's district, Stapleton Beacon Article 11 disposition which will facilitate the construction of 359 affordable units. Starrett-Lehigh High in terminal warehouse building rezoning in my district as modified will expand the special West Chelsea district and will facilitate the adaptive reuse of these existing buildings. Our modification will be to reduce the floor area allowed for large retail use. 506th Third Avenue as modified will facilitate a five-story commercial development and commercial enlargement at a nearby property in Council Member Brad Landers' district, and the Council will modify the MIH options. Bed-Stuy East and Weeksville Mosaic UDAP and Article 11 tax exemption to facilitate the development of 46 affordable cooperative home ownership units in Council Member Robert Cornegy and Alicka Ampry-Samuels districts. One White Avenue industrial business incentive area will facilitate the development of a new eight-story commercial and

1 NEW YORK CITY COUNCIL STATED MEETING 25
2 industrial building in Council Member Steve Levin's
3 district. 40-20 83rd Street rezoning will facilitate
4 a new nine-story residential building with 163 units,
5 up to 49 permanently affordable in Council Member
6 Danny Dromm's district. Beach [sic] 79th Self-
7 Storage in Council Member Selvena Brooks-Powers'
8 district. 31st Street and Haight [sp?] Avenue
9 rezoning will facilitate three new mixed-use
10 buildings with approximately 287 dwelling units, 69
11 of which will be affordable in Council Member Tiffany
12 Cabán's district. And finally, we'll be voting on
13 the withdrawal of the New York City Law Department
14 office lease from our calendar. Moving on to our
15 legislative agenda. I'll be brief since we have a
16 lot to get through today. Introduction Number 2141A
17 sponsored by Council Member Carlina Rivera will
18 remove references to clinically outdated and
19 stigmatizing terms once used to refer to disabilities
20 in our laws, and instead use intellectual disability
21 or intellectual and developmental disability. I want
22 to thank Sarah Lisk [sp?] from the staff. Also out
23 of the Committee on Mental Health, Disabilities and
24 Addiction, we're voting on Introduction 2442A
25 sponsored by Council Member Diana Ayala who is also

1 NEW YORK CITY COUNCIL STATED MEETING 26
2 the Chair of the Committee. This bill will require
3 the Mayor to establish an Office of Community Mental
4 Health within the Executive Office of the Mayor, and
5 again, I want to thank Sarah Lisk. From the
6 Committee on Health, Introduction number 1625
7 sponsored by-- 1625B sponsored by Council Member
8 Carlina Rivera, will require the Department of Health
9 and Mental Hygiene to make different forms of
10 nonsurgical contraception available at city health
11 sites. I want to thank Harboni Ahujah [sp?]. Our
12 next bill in Introduction Number 1621A sponsored by
13 Council Member Danny Dromm, and out of the Committee
14 on Governmental Operations, this bill will establish
15 a committee to examine the City's position on nuclear
16 disarmament, and this is related to recognizing the
17 City as a nuclear weapons-free zone. I want to thank
18 CJ Murray. Related to that bill we have Resolution
19 976A also sponsored by Council Member Dromm out of
20 the Committee on Civil Service and Labor calling on
21 the Comptroller to instruct our pension funds to
22 divest from companies involved in the production and
23 maintenance of nuclear weapons. I want to thank
24 Elizabeth Arzt from the Committee on Governmental
25 Operations. We also have Introduction Number 2459A

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2 sponsored by Council Member Oswald Feliz. This bill
3 will make the Mayor's Office of Information Privacy a
4 charter-mandated office. I want to thank CJ Murray.
5 Today we have two bills from the Kimeon [sic]
6 veterans, Introduction Number 2354A sponsored by
7 Council Member Eric Dinowitz, the Chair of the
8 Committee, will expand the Veterans Advisory Board
9 from 11 members to 13 members. The second bill from
10 the Committee on Veterans is Introduction Number 479A
11 sponsored by Council Member Danny Dromm. This bill
12 will extend all city benefits and services to
13 veterans who have bad discharge papers due to their
14 sexual orientation or gender identity or expression.
15 From the staff I want to thank Bianca Vitale for
16 those two bills. Moving on. Out of the Committee on
17 Contracts, Introduction Number 1624A sponsored by
18 Council Member Ben Kallos will expand the data
19 included in the City's Minority and Women's Business
20 Enterprise quarterly report in order to provide
21 additional information on enterprise vendors. From
22 the staff I want to thank Alex Paulenoff and Leah
23 Skrzypiec. We also have Introduction Number 2130A
24 sponsored by Council Member Helen Rosenthal out of
25 the Committee on Consumer Affairs. This bill will

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help connect New Yorker's information on student loan forgiveness, and from the staff I want to thank Stephanie Jones, Leah Skrzypiec and Noah Meixler.

Next up we have two bills from the Committee on Women and Gender Equity. First, Introduction Number 1085B, sponsored by Council Member Mark Treyger, will establish a two-year long pilot program to provide legal representation and domestic violence survivors in divorce proceedings. And second, Introduction 2372B, sponsored by Council Member Carlina Rivera, will extend the statute of limitations for a civil action alleging a gender-motivated act of violence from seven years to nine years. And from the staff I want to thank Smita Deshmukh for those two bills.

Out of the Committee on Civil Service and Labor and sponsored by its Chair, Council Member Daneek Miller, we have Introduction Number 2454. This bill will meliorate the free rider effect by removing certain benefits that public sector unions are required to provide to non-members. From the staff I want to thank Bianca Vitale. We have one bill from our Committee on Housing and Buildings, Introduction Number 2309A, sponsored by Council Member Ben Kallos, will require applicants seeking to rent out rooms in

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a Class A dwelling unit for fewer than 30 consecutive days as short term rentals to register with the Mayor's Office of Special Enforcement and obtain a registration number before being permitted to rent out rooms. Booking services will be required to verify the short term rental registration number for any accommodation before listing it on their service.

And from the staff I want to thank Louis Cholden-

Brown. Moving on and out of the Committee on General

Welfare, we also have two other bills. First up,

Introduction Number 147B, sponsored by Council Member

Steve Levin who is the Chair of the Committee, and it

will provide transparency around which clients are

selected or ejected for supportive housing. The

second bill, Introduction 2176A, also sponsored by

Chair Levin. This bill will require the Department

of Social Services to create a written notice for

supportive housing residents of their rights pursuant

to various state and local laws. From the staff I

want to thank Aminta Kilawan. We got it done, Steve.

Next, we have three bills from the Committee on

Environmental Protection. First, Introduction Number

2425A sponsored by Rafael Salamanca, and it will

require the Department of Environmental Protection to

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assign Borough Commissioners. From the staff I want to thank Samara Swanston and Kris Sartori. Next, Introduction 2460A, sponsored by Council Member James Gennaro, will authorize the New York City Mayors Office of Environmental Protection-- of Environmental Remediation, excuse me, the authority to issue civil penalties against parties who violate program requirements. From the staff, again, Samara Swanston and Kris Sartori. Introduction Number 51A, sponsored by Council Member Bill Perkins, will require a study on the installation of geothermal energy systems on government-owned sites. Again, Samara and Kris. And next, we're voting on Introduction Number 2366A from the Committee on Parks and Recreation, sponsored by the Chair of that committee, Council Member Peter Koo. It will require the Department of Parks and Recreation to conduct risk and health inspections of street trees, and I want to thank Kris Sartori and Patrick Mulvihill. Moving on, from the Committee on Fire and Emergency Management, we have Introduction Number 1949A sponsored by Majority Leader Laurie Cumbo. This bill will require New York City Emergency Management to ensure the periodic review of all citywide emergency plans coordinated by the

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Department, and I want to thank Joshua Kingsley and William Hungatch [sp?]. Next up we're voting on four bills out of the Committee on Transportation, Introduction Number 2417A sponsored by Council Member Bob Holden, and it'll prohibit the sale or distribution of products designed to conceal or obscure license plates. I want to thank Jessica Steinberg Alpin [sp?]. This afternoon we're voting on Introduction Number 2201A sponsored by Council Member Carlina Rivera. This bill will permit owners and operators of motorcycles to digitally provide photographic evidence that parking was paid for at the time of an alleged parking violation. Again, I want to thank Jessica. Introduction Number 9A, sponsored by Council Member Inez Barron, will require the Department of Transportation to install traffic control devices at intersections near schools. Again, I want to thank Jessica. And to improve traffic safety, the last bill we're voting on is Introduction Number 1724A, sponsored by Council Member Ben Kallos. This bill will authorize the creation of a program for installing and operating cameras on school bus arms, school bus stop arms, that are capable of photographing drivers who

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illegally pass a school bus, and I want to thank Elliott Lynn. From the Committee on Public Safety, we have two bills. First, Introduction Number 2297A, sponsored by Council Member Francisco Moya. This bill prohibits the NYPD from hiring cops that have been fired for misconduct. The second bill is Introduction Number 2440A sponsored by Council Member Adrienne Adams, who is the Chair of our Committee on Public Safety. Currently, the Civilian Complaint Review Board is largely limited to conducting investigations of police misconduct in response to complaints filed by members of the public. This bill will give the CCRB the power to initiate its own complaints against members of the NYPD that allege misconduct involving excessive use of force, bias-based policing and racial profiling, discourtesy or offensive language. And from the staff, for these two bills, I want to thank Joshua Kingsley. The right to vote is fundamental to a modern functioning democracy. Today, we are making history here in these chambers by expanding the right to vote to more than 800,000 immigrant New Yorkers who have not yet attained US citizenship. New York has been built by immigrants, and we are what we are today because of

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1 them. I am proud to voting on legislation that will
2 give the right to vote to green card holders and
3 people who are authorized to work in the United
4 States of America. Immigrants pay taxes. They use
5 city services. Their kids go to our public schools.
6 They are part of our community, and they deserve a
7 say in local government. Out of the Committee on
8 Governmental Operations, Introduction Number 1867,
9 sponsored by my friend Council Member Ydanis
10 Rodriguez who has worked so hard on this for so long.
11 We'll get this bill across the finish line and will
12 create a new system of non-citizen voting in New York
13 City. a non-citizen New Yorker will be eligible to
14 vote under this bill if they are either a lawful
15 permanent resident or authorized to work in the
16 United States, have been a resident of New York City
17 for at least 30 consecutive days, and meet all the
18 qualifications for registering to vote under the New
19 York State Election Law, other than US citizenship.
20 Any person who satisfied these criteria will be able
21 to register as a municipal voter with the New York
22 City Board of Elections. Once registered, they'll be
23 able to vote in any primary, general, or special
24 election for Mayor, Comptroller, Public Advocate,
25

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2 Borough President, or City Council Member. They will
3 also be able to vote on any local ballot initiatives.
4 And from the staff I want to thank Jackie Bazillis
5 [sp?] and CJ Murray [sp?]. That is our very long
6 agenda today, Madam Majority Leader. I want to thank
7 you for presiding as always, and I turn it back to
8 you.

9 COUNCIL MEMBER CUMBO: Thank you Speaker
10 Johnson. We will now move into discussion of General
11 Orders. I'd like to first recognize Council Member
12 Gennaro.

13 COUNCIL MEMBER GENNARO: Thank you, Madam
14 Leader. I'll be brief in lieu of the long agenda.
15 Speaking on my bill, Intro 2460A. On Earth Day in
16 2009 the City Council passed Local Law 27 known as
17 the New York City Brownfield and Community
18 Revitalization Act, which I sponsored, that created
19 the only municipal Brownsfield Cleaning Program in
20 the United States. We created that program because
21 80 percent of New York City Brownfield sites do not
22 qualify for the New York State Brownfields program,
23 and since the program started in 2010, 750 projects
24 have been cleaned. More than 1,600 units of
25 affordable housing have been built, and businesses of

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all kinds have been opened. Most of the projects have been done in communities that have suffered the most environmental injustice. Whenever some developers have, you know, taken liberty with the program. The city needs an enforcement mechanism in the form of civil penalties to make sure all participants in the program [inaudible] fully, and thereby maintain the integrity of the City Brownsfield Clean-up Program. This bill gets that done. I'd like to thank in a special way Speaker Johnson, Jason Goldman, Jeff Baker, Samara Swanston, Kris Sartori, my Legislative Director [inaudible] and Mark McIntyre [sp?] from the Administration who is the Director of the Office of Environmental Remediation who worked on this with me back in 2009. He's still there. He heads that program. I want to thank him for this partnership, and thank you Madam Leader.

COUNCIL MEMBER CUMBO: Thank you. We'll now have Council Member Ben Kallos.

COUNCIL MEMBER KALLOS: I've been a tenant most of my life and I'm tired of having to compete with tourists for housing in our city. Housing should be for New Yorkers. Hotels should be

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tourists, for tourists. It's as simple as that.

There were 37,000 units on AirBnB and 20,000 of them are currently listed as entire homes, which is not allowed in buildings with three or more units under state law. There are many bad actors out there, like one who rented apartments across 35 different buildings to tens of thousands of guests for over 55,441 nights. That's more than a century of housing kept off the market. It is possible that many hosts don't even know that what they're doing is illegal.

Today we are voting to pass a law to require every host to register their units and every platform to register with the City. Through the registration process, hosts will learn whether it is legal to rent their units. Units that are rent-regulated, city subsidized, affordable housing, or a NYCHA public housing won't be allowed. Market-rate rentals would be able to register and list their units. Property owners would get notice when this happens.

Cooperatives, condominiums, and building owners will be able to opt out of any having any units listed.

Single family homeowners would be free to register and list a spare room. By passing this legislation we actively respond to New York City's affordable

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housing crisis a little better by hopefully bringing as many as 20,000 apartments back onto the market, many of which might even be affordable. This morning we had 45,780 people wake up at our shelters, 14,773 of them were children, 11,168 adults as part of 8,500 families. We could end family homeless with just half the units that are coming back. With only 16,714 single adults in the shelter system we could house every homeless New Yorker in these soon to be vacant Airbnb units. I'd like to conclude by thanking Mike McKee [sp?] and Tenants Pact, the Coalition Against Illegal Hotels and it's working group, in particular Tom Caylor [sp?] and Mary Cox [sp?]. Many colleagues who have been provided insight into this legislation including to but not limited to Senator Liz Kruger and Council Member Carlina Rivera. My counsel Wilfredo Lopez and Louis Cholden-Brown, we couldn't have done it without you. Thank you.

COUNCIL MEMBER CUMBO: Thank you Council Member Kallos. We'll now have Council Member Koo. Council Member Koo?

COUNCIL MEMBER KOO: Yes, I'm here. Thank you, Majority Leader. Today I ask my

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colleagues to join me in supporting Intro 2366A, a bill that takes a huge step towards protecting our city's most important natural resources, our trees. Too often do our constituents call 311 to report damaged, unhealthy, and dangerous trees only to watch them fall during the next severe storm due to the city's inaction. Intro. 2366A will address this by requiring the Parks Department to more regularly conduct risk and health inspections of our street trees so issues can be found earlier on. It will also provide more transparency as to how our city's trees are inspected. More importantly, this bill will finally give us answers as to what happens to our 311 complaints. Parks will be required to report on the number of trees referred for inspection each year. How many are actually inspected and report on the results of those inspections? All of this information will also be maintained on the map posted on their website. Ultimately, this bill is about increasing governmental transparency, keeping our residents safe, and protecting our urban canopy so that it can be around for generations to come. I hope you will join me in voting yes on this bill. Thank you, Kris, Patrick, Chima [sp?], and Monica,

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2 Bret [inaudible], Jeff Baker, Jason, and Speaker
3 Johnson, along with my own staff [inaudible]. Thank
4 you.

5 COUNCIL MEMBER CUMBO: Thank you so much
6 Council Member Koo. We'll now have Council Member
7 Brooks-Powers.

8 COUNCIL MEMBER BROOKS-POWERS: Thank you
9 and good afternoon. I'd like to convey my support for
10 Intro. 1625. I'm proud of the Council's efforts to
11 broaden and protect New Yorker's access to safe and
12 effective long-term contraception. I would like to
13 also speak on a bill that I have had the privilege of
14 introducing with Councilwoman Carlina Rivera, Intro
15 2372 which will create a two-year look-back window
16 for the Gender-motivated Violence Act so that cases
17 where the statute of limitations has expired can be
18 reopened. Victims of gender-based violence face
19 enormous pressure to stay silent in the wake of their
20 abuse. Without support from others they can feel
21 alone and the pandemic has only exacerbated that
22 isolation. Our legal system must recognize this
23 reality. All survivors deserve to have their voices
24 heard on their terms, but far too often they're
25 stonewalled by an expired statute of limitations.

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2 With this new two-year look-back window, countless
3 others will finally be able to come forward. Justice
4 delayed is justice denied. I am so glad to say that
5 when this Council passes Intro. 2372 today, justice
6 will be delivered. Thank you.

7 COUNCIL MEMBER CUMBO: Thank you so much
8 Council Member Brooks-Powers. We'll now have Council
9 Member Mark Gjonaj.

10 COUNCIL MEMBER GJONAJ: Thank you,
11 Majority Leader. At this time, I request that we
12 consider Intro. 1867A as a separate question from the
13 remainder of the General Orders Calendar.

14 SPEAKER JOHNSON: It's automatic.

15 COUNCIL MEMBER CUMBO: So moved.

16 COUNCIL MEMBER GJONAJ: Thank you
17 Majority Leader. Before I begin to make a motion, I
18 just want to first thank Corey Johnson, our Speaker,
19 the Council Staff, the Majority Leader and all that
20 have been very helpful in this process. With that
21 being said, I wish it wasn't me that was doing this,
22 because too often when we think of immigration and
23 immigrant issues, we don't think it's a white issue.
24 It's an [inaudible] issue. Immigration impacts all
25 races, all colors, all faiths, but today I stand

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before you to make a motion that hopefully will give the cover of so many of my colleagues that have concerns about the current bill in its current form. I hope they find the strength to be honest with themselves and do right by their conscious as we discuss this. This is no way is a motion to defeat the bill that's being proposed. This is so that we can make the bill better. And when we think of the responsibilities of elected officials that we are, this is the responsible course that we're supposed to be taking. Irresponsible would be rubber stamping. Irresponsible would be voting on a bill that you're not completely informed about. Irresponsible would be allowing this bill in its current form to have unintended consequences. On an annual basis we issue 1.1 million green cards. So when we talk about the bill and those that will have the right and the privilege to vote, it's not about the 800,000 to a million that currently call New York City home. This also in the future will include a potential 1.1 million new green card holders. Mr. Speaker, Madam Majority Leader, I share with you as a son of immigrants. My parents immigrated here in 1968, June 12th. Twenty-two years later they became American

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2 citizens. In speaking to my mom yesterday and today
3 about this bill, she shared with me the pride that
4 she had, how she went and bought a new dress, how my
5 father who is no longer with me went and bought a new
6 suit, took family members as they went through the
7 process, and it was one of the proudest days in their
8 lives.

9 COUNCIL MEMBER CUMBO: Thank you.

10 COUNCIL MEMBER GJONAJ: If I may, my
11 grandmother--

12 COUNCIL MEMBER CUMBO: [interposing]
13 Please conclude.

14 COUNCIL MEMBER GJONAJ: became a citizen
15 at the age of 80, after living here for 40 years.
16 And my mother was the interpreter, and when she was
17 asked questions to allow her this privilege, the
18 person doing the interview asked, "Do you love this
19 country enough to fight for it?" And she said yes.
20 "Do you love it enough to go to war for it?" And my
21 grandmother said, "I am 80 years old, I don't have
22 the strength to go to war, but I can make food for
23 the military that would go to war." And she said it
24 proudly. She is no longer with me.
25

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2 COUNCIL MEMBER CUMBO: Thank you, Council
3 Member.

4 COUNCIL MEMBER GJONAJ: At this time, I
5 make a motion to recommit Intro. 1867A to the
6 Committee on Government Operations, not to kill the
7 bill, but hopefully for reconsideration that will
8 emphasize at a minimum on the 30 days residence
9 requirement, to make that hopefully something more
10 acceptable, such as a resident for one year and one
11 day before they're--

12 SPEAKER JOHNSON: [interposing] Council
13 Member Gjonaj, just to--

14 COUNCIL MEMBER GJONAJ: offered this
15 privilege.

16 COUNCIL MEMBER CUMBO: Thank you, Council
17 Member Gjonaj.

18 SPEAKER JOHNSON: I just want to talk
19 about process for a moment, and Madam Majority Leader
20 [inaudible].

21 COUNCIL MEMBER CUMBO: We're going to have
22 a moment of pause.

23 SPEAKER JOHNSON: Council Member Gjonaj's
24 made a motion to recommit. The amendment process is
25 separate from the motion to recommit. So at first,

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2 we will debate this motion to recommit. It'll be a
3 debate on the floor on his motion. Once that is over
4 with and everyone who wants to speak can speak, then
5 we'll have a roll call vote on that motion to
6 recommit. I am voting no on the motion to recommit,
7 but that is the process where we're at. Is that
8 correct?

9 COUNCIL MEMBER CUMBO: Correct.

10 SPEAKER JOHNSON: So, is there-- Madam
11 Majority Leader, is there anyone else who wants to
12 debate Council Member Gjonaj's motion to recommit?

13 COUNCIL MEMBER CUMBO: Council Member
14 Yeger?

15 COUNCIL MEMBER YEGER: Thank you very
16 much, Madam. I serve on the Government Operations
17 Committee as I have for the last four years, and we
18 heard this bill a number of months ago, and it was
19 voted out of Committee this week. As members of this
20 Council know, there was also a letter sent by a
21 substantial number of the members of this Council, I
22 think the number exceeds 20, raising several
23 questions about the bill, not merely questions like I
24 raised that it's unconstitutional under state law.
25 It's very clear, and we'll discuss that later. But

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questions about how the bill would operate. For example, does the Board of Elections have enough money to do this? Is the Board of Elections prepared to do this? Questions about how the registration system would work with respect to the 30 days, whether 30 days is too short. Should it be longer? Should it be 60 days? Should it be year? And that letter having been sent this week, here we are today and it's still on the floor, and the issue before us is really just sending it back to the committee. Let the committee have the bill back so that the information can be brought into the committee so that the bill, if necessary, can have a few words changed to make it either better or perhaps even to beat the likely court challenge which is going to come from this. We all know that's happening. So, this is a very simple bill not-- this is a very simple motion not to kill the bill, not to beat the bill, not to vote it down, but to send it back into the other room where the Governmental Operations Committee can consider this later this week or next week and have that conversation. Thank you very much, Madam President.

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COUNCIL MEMBER CUMBO: Thank you, Council Member Yeger. Council Member-- Speaker Corey Johnson.

SPEAKER JOHNSON: Thank you, Madam Majority Leader. I just want to be clear so folks understand. If this bill is amended in any way, it would need to be re-aged and there is not enough re-aging days between now and the next Stated Meeting of the City Council, and that Stated Meeting is not moving for a variety of reasons, which means that the bill could not come up again before this council finishes, which means that the bill would die this year. It would then be kicked to the next council. The bill would need to be reintroduced, reheard, sponsors would need to sign onto it again, and it would go through a full legislative process. So, if this bill is amended today in any way, the bill is technically dead for this legislative session and the next City Council would have to take it up. I wanted to clarify that so people understand that.

COUNCIL MEMBER CUMBO: Thank you for your clarity. Council Member Lander? Followed by Menchaca.

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2 COUNCIL MEMBER LANDER: Thank you, Madam
3 majority Leader. I've been a member of tis City
4 Council for three terms now, 12 years. In every one
5 of those terms I've been proud to be a sponsor of
6 this bill, to extend voting rights to our non-citizen
7 neighbors. For much of that time, across all three
8 terms, the bill had a super majority of sponsors. I
9 looked back. It had a super majority in my first
10 term in the Council, and it has a super majority
11 today. There is strong support in this body and in
12 this city to recognize that our neighbors who pay
13 taxes, who work hard, who take care of us through
14 caregiving jobs deserve the right to vote in our
15 municipal elections. But whether you think that or
16 don't think that, and respectfully, whether you
17 believe a court will find that this bill is within
18 our authority or not within our authority, we have
19 the opportunity at long last, after more than a
20 decade, to express this body's support for the well-
21 supported legally and morally and economically idea
22 that our non-citizen neighbors should vote in our
23 municipal elections. And I don't want to have it
24 said that after three terms of super majority
25 support, we failed even to vote to consider it.

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Let's be clear what the Speaker said. Sending this back to committee where it would be amended or amending the bill on the floor is killing the bill this session, and hoping that that next Council, the fourth in which it would be introduced, would do better than we do. We have an opportunity to make history today. Let's do it. Please vote no on this motion to send the bill back to the committee. Please vote no if amendments are introduced. Please vote yes when this bill comes to the floor for a vote. Thank you.

COUNCIL MEMBER CUMBO: Council Member Menchaca followed by Council Member Gjonaj, and then Council Member Chin.

COUNCIL MEMBER MENCHACA: Hello. Hi, everyone. Carlos Menchaca. I have also served here, not for 12, but for eight years as the Chair of the Immigration Committee with some incredible members within the committee that have done so much work in BMT [sic] and beyond the committee work that we've done to engage immigrant communities. What we are talking here, and why I'm saying no to this amendment, is that we're ready to move forward. It has taken this long to have discussions about what it

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looks like, and this was often delayed in conversation because Trump was in power. The idea of pushing something like this during the reign of terror of Trump is no longer with us. now we can work together to ensure that we can build a process to enfranchise people who are in our neighborhoods, who have been part of community building, and during COVID you saw essential workers, immigrants, fight and work on our behalf to make sure that our economy and city kept moving. The least we can do is give them the opportunity to vote. I ask you, and I'm standing with the Speaker and Lander and so many of you right now, to vote no on this amendment and any amendment because it will effectively kill this bill now. This is our time. This is our city. This is our vote. Thank you.

COUNCIL MEMBER CUMBO: Council Member Chin followed by Council Member Gjonaj then Council Member Borelli.

COUNCIL MEMBER CHIN: I've also been on the City Council. This is my 12th year, and I started advocating for the right for immigrants who are non-citizen to vote even before I joined the City Council. This has been a long journey. Council

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Member Gjonaj, why did your parents have to wait so long to become a citizen? I don't think it's not because they don't want to. There are a lot of people, a lot of immigrants from around the world, and I march and I rally with immigrants from Africa, from Russia, from Asia. They want representation. My mother couldn't vote for me because she wasn't a citizen. She had a green card. She paid tax. There were a lot of members in the community, especially senior citizens, that's been going to classes trying to learn the language. It's not that easy. And the price for the application has been-- keep going up. Imagine if you need to take the test in Russian or in Spanish, or in Chinese, or in Korean, it's not easy to learn a language, and especially for immigrants who have to work every day just to support their family. They want to be citizens. They want to be able to vote for the President, but at least we have the opportunity to allow them to vote for the elected official that's representing them in the city. A lot of them are very active. They volunteer on campaign. They come to community meeting, but Election Day they cannot vote for Mayor, they cannot vote for the City Council. But this bill will give them that

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2 opportunity to get involved, but have that right to
3 vote for their representative, and hopefully that
4 will encourage the regular citizen who usually don't
5 vote to get out and vote, and that's what democracy
6 is all about. And this bill is taxation with
7 representation. Thank you.

8 [applause]

9 COUNCIL MEMBER CUMBO: Council Member
10 Borelli?

11 COUNCIL MEMBER BORELLI: Was Gjonaj ahead
12 of me, or--

13 COUNCIL MEMBER CUMBO: [interposing] Yes,
14 he was.

15 COUNCIL MEMBER BORELLI: Can I have my
16 five minutes?

17 COUNCIL MEMBER CUMBO: I'll allow Council
18 Member Gjonaj and then thank you so much Council
19 Member Borelli.

20 COUNCIL MEMBER GJONAJ: Thank you
21 Majority Leader, and thank you colleague,
22 Councilwoman Chin for that passionate speech.
23 Democracy gives us choices. My parents waited. They
24 chose to wait. What this bill is going to allow a
25 year from now is someone with a work visa to come in

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and 30 days later be able to vote. That person is a transient, not a permanent resident, not a contributor to society and the fabric of New York City. That person is coming in for the duration of that job or that project and going back to their home country or another place of origin. This bill is allowing-- and I must say this, because one of the issues that came up was fear of. Wasn't too long ago that we were all focused on television as we were hearing about Russian influence in an election, and we were mortified that that could happen. This bill in its current form doesn't protect New York City or make it fairer. It makes it vulnerable to outside influence, whether that be Russia, China, or any other nationality that does not share the same principles in freedom and values that we do as Americans. So be careful, as my grandmother would say, what you ask for, because you just may get it. This bill makes the crown jewel of this country, New York City, vulnerable. Not today because of the one million New Yorkers that would benefit from this right, but based on the 1.1 million green cards that will be issued each and every year moving forward, and it doesn't take much to use your imagination to

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2 figure out how dangerous this bill is for the future
3 of New York City, for the future of New York.

4 COUNCIL MEMBER CUMBO: Thank you. Thank
5 you, Council Member Gjonaj. We now have Council
6 Member Borelli.

7 COUNCIL MEMBER BORELLI: Thank you. I'd
8 like to speak briefly about the legality of this
9 considering one of my colleagues and friends did
10 mention that this would be challenged in court, and
11 that essentially the court would be determining if
12 what we do today is actually legally or just. I
13 think that's reason enough to support this motion to
14 send it back to the committee. Non-citizen voting
15 has a long history in New York State. By 1804, state
16 election law specifically requires citizenship to
17 vote. In 1827 state election law defines citizenship
18 unambiguously as citizenship in the United States.
19 Article II of our State Constitution reads, "Every
20 citizen shall be entitled to vote at every election
21 for all officers elected by the people and upon all q
22 questions submitted to the vote of the people
23 provided that such citizen is 18 years of age or
24 over, and it shall have been a resident of this city
25 and of the county, city, or village for 30 days."

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Now, that particular section of the State Constitution was passed in 1938 and was approved by a vote, a referendum of the people. not only was it approved by the people in the referendum in 1938, but it was voted five times since then, in 1943, 1945, 1961, '66 and as recently as 1995. The people of the state actually voted to do that. A hundred year definition of citizenship, affirmed by people as uniquely qualified to vote in city elections, not once, not twice, but six times. I'll note that some of my friends and colleagues who support this measure oppose the State Constitutional Convention that could have happened four years ago, the actual appropriate time by which this measure could be brought to light. Furthermore, Article III of the State Constitution defines those counted for redistricting persons as inhabitants, not citizens. Meaning, the State Constitution takes the time to differentiate between times we count people as inhabitants versus times we count people as citizens. We count people as citizens to vote. In 1993 and 1997 and 2003, legislation was introduced in the State Assembly for the constitutional change to allow non-citizen voting. Parallel bills were introduced to limit it

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to municipal elections. I ask you, why would the State Assembly go through the process of having a state constitutional change if you didn't have to have a state constitutional change. It's not easy, but the truth is you have to. All those bills were defeated but the mere suggestion that that was what was required lends to the point that this is not legal what we are doing. At some point, some will ask us, what about our School Board elections as we did between 1968 and 2003. The state constitution address that. It defines local governments as a county, city, town or village, period. So it limited itself from School Board elections. Thank you [inaudible] I really appreciate that. I know you're in much danger from my spittle [sic]. All those points in the school board law specifically addressed the issue of what elections were covered by the State Constitution. No matter how much my friend Carlos doesn't want to hear it, the State Constitution is clear. Moreover, Article 52 Section A of the State Education Law specifically allowed each parent who was a citizen of that state, meaning they specifically specified a citizen of the state could vote in election law. Now, again, that gives credit

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to the notion that state law is what determines that. But that's not all, the State Election Law further is clear on this issue. Section 5-102 states, "No person shall register for and vote at any election unless he is a citizen of the United States." That's clear, right? That's an actual statute from the state. Furthermore, Section 23 of the Municipal Home Rule Law states that a referendum is required, not optional, for any Local Law that changes the nominating, electing, or removing an elected officer, and that's what we're doing. So at the very least, my point is, if you want to do this, there's no problem with that as long as you do it the right way. This is not just an opinion of mine, Joe Borelli, the Minority Leader, the Republican leader. In 2013 an Administrative Attorney testified to this body that non-citizen voting is inconsistent with the State Constitution would require a citywide referendum. On 9/17 of this year Mayor de Blasio himself, a bonafide [sic] progressive known to you all, said, "Our Law Department is very clear. It's not legal for this to be decided at the city level. I really believe this has to be decided at the state level." I'm almost finished, excuse me. Two weeks ago, on New York One,

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the same Democratic Mayor said the same thing. And finally on September 20th of this year, our Chief Democracy Officer, the person who we presume, his only job is to make sure every legal voter in this city has the opportunity to vote, said that the law could violate the State Constitution. So I urge you all to vote yes on this motion. Send this back to committee. Let's talk about these legal issues. If that happens to not by the case, then I urge you all to vote no on the bill. Thank you.

COUNCIL MEMBER CUMBO: Thank you Council Member Borelli. We'll now have Council Member Van Bramer followed by Levin and Carr.

COUNCIL MEMBER VAN BRAMER: Thank you. So, listening to Council Member Gjonaj, I just want to say I very much appreciate it, the story of your grandmother and your parents and your immigrant story which reminds me that we are all immigrants in this room and in this city, and either an immigrant or the son or granddaughter of an immigrant, and while I share you appreciation and of course your family's story, I don't share you concern. I think this is one of the best species of legislation that this council is poised to pass, and this is a great day

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for democracy in the City of New York. I am not afraid of too many people having the ability to vote. I am afraid that too many feel powerless in the very city that they live and work and raise their family in. This is the best of who we are, this piece of legislation is everything that we are about. New York City is that beacon of hope for the entire country. We lead. This is how we do it, and I could not in any good conscience not be for this because I know my own history. I know that my grandmother Winnfred [sp?] Cody O'Connor [sp?] came from Ireland, one of 14 children. I know that they were not welcomed when they came to this country, and it is important for all of us to remember that we are all immigrants. This is a city built by and for immigrants, and this is such a good day for democracy, a great day for this New York City Council, one that I'm incredibly proud to serve in for the last 12 years and to have been a prime co-sponsor. So I'll be voting no on this call for an amendment and any other amendments in honor of my grandmother, but in honor of everyone's family who absolutely deserves the franchise in this city. Thank you.

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2 COUNCIL MEMBER CUMBO: Thank you, Council
3 Member Van Bramer. We'll now have Council Member
4 Levin followed by Council Member Carr.

5 COUNCIL MEMBER LEVIN: Thank you very
6 much, Madam Majority Leader. My colleagues, I want
7 to just speak to you as a proud sponsor of this bill
8 and I've been a sponsor for these three terms. Just
9 on a process issue, I just want to make sure that
10 we're absolutely clear, this bill deserves an up or
11 down vote today, and there's a super majority of
12 sponsors on this bill. If it's an up or down vote,
13 the bill will pass. If we vote in favor of my
14 colleague, Council Member Gjonaj's amendment, this
15 bill will be dead for this term as the Speaker said.
16 This bill will be dead. There's no way that we-- if
17 we were to vote for this amendment that we could pass
18 this bill in this term. We would essentially be
19 precluding ourselves from being able to have that up
20 or down vote. So, in the interest of transparency in
21 government, we have had hearings on this bill. We
22 have had a robust public discussion on this bill.
23 There's not a member in this room who doesn't know
24 what this bill does, okay? We have to vote no on
25 this amendment because this amendment is a subterfuge

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on the legislative process here, because what it essentially does is it kills the bill, because it would have to re-age, and we do not have the time in this session to re-age a bill. The last aging deadline was the other day. So, I just want to make that absolutely, abundantly clear. Voting yes on this amendment is essentially an end-around around our legislative process, and that's unacceptable to me as a member of this body. This bill deserves an up or down vote. Vote no on this amendment. Thank you, respectfully to my colleague, Council Member Gjonaj.

COUNCIL MEMBER CUMBO: Thank you, Council Member Levin. Council Member Carr?

COUNCIL MEMBER CARR: Thank you, Madam Majority Leader. I appreciate it. I want to thank all of you for welcoming me here today on my first Stated, in particular Speaker Johnson, Minority Leader Borelli. I've stood in the back of this chambers many years as a Chief of Staff, and I'm just honored to be counted among you. But I want to speak briefly on the bill and amendment being proposed, excuse me, the motion to recommit that's been proposed. To me, the right to vote is inherent to

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citizenship. They cannot be separated from one another. In order to be able to vote in this country, in this state, in this city you have to be a citizen of this country and of the state residing here in New York City. I won't go into the legalities. Minority Leader Borelli did it far more thoroughly than I ever could. I believe in the spirit of the immigrants who have come to this city in past generations. I'm the son of an immigrant. My father came here in 1971. He's still a green card holder himself. Like Council Member Chin and her family, he was not able to vote for me this year. I'm the great grandchild of Italian immigrants to this city from the turn of the last century. I absolutely celebrate the contributions that they have made generationally to this city and to this country. I value you them deeply. But to me, in order to be able to cast a vote for who is going to govern us, you have to have been able to make a commitment to this country and sworn an oath of allegiance to this country. To me, that is absolutely essential if we're going to expand the franchise. And I just would like to point out as Council Member Gjonaj alluded in his comments, this bill would not just

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enfranchise green card holders. It would enfranchise those who are authorized to work in this country. That includes those who are here on non-immigrant visas. That includes those who are recipients of deferred action from US Immigration and customs enforcement. So to me, if we're going to have a serious conversation about what the franchise should be in this city, we should send it back to committee. Let this committee do its work. Let a future Council do its work, if that's indeed what is needed. And so I urge my colleges to vote yes on the motion and no under the underlying bill if it comes to it. Thank you.

COUNCIL MEMBER CUMBO: Thank you. We now have Council Member Vernikov, Barron, Cornegy, then Dromm. Welcome.

COUNCIL MEMBER VERNIKOV: Thank you, Madam Majority Leader. My name is Inna Vernikov. I represent the 48th Council District in Southern Brooklyn. It is an absolute honor for me to be here with all of you today, being able to take a vote. [inaudible] elected Republican I understand that we will, as well as the newly incoming Council Members, disagree on many issues. However, I think that civil

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discourse is really the cornerstone of our democracy, and I look forward to working with all of you and incoming Council Members, especially on issues that we can agree on. That being said, I cannot support this bill, the Intro to 1867A. The right to vote is a sacred right and belongs squarely to United States citizens. And I'm not just saying this as a republican talking point. I myself am an immigrant who came to this country at 12 years old. Both of my parents did not speak English. I did not speak English. My parents had to work two jobs to make ends meet, and I had to work very hard to obtain United States citizenship just so that we can vote. We had to learn English, learn history, pay taxes, and prove that we have a good moral character. And on top of that, I'm also an Immigration Attorney, and I have many clients that I represent who come to this country both legally and illegally, and I believe that this is a slap in the face to those immigrants who worked so hard to obtain United States citizenship so that they can have a say in our election process. This is also a slap in the face to the integrity of our election process. If this bill passes, there's no way to oversee that the non-

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2 citizens voting actually pay their taxes and have
3 good moral character. However, the application for
4 citizenship, the petition for nationalization, which
5 I am very familiar with, it's a great system that is
6 already in place to make sure that those voting are
7 entitled to that privilege. With that, I'll vote aye
8 on the motion. Thank you.

9 COUNCIL MEMBER CUMBO: Thank you.

10 Council Member Barron followed by Council Member
11 Cornegy and Dromm. Council Member Barron, you may
12 unmute yourself.

13 COUNCIL MEMBER BARRON: Thank you. Can
14 you hear me?

15 COUNCIL MEMBER CUMBO: Yes.

16 COUNCIL MEMBER BARRON: Okay. Thank you
17 so much. I'm going to be very brief. In terms of the
18 motion on the floor, I'm voting no on the motion. I
19 think that the bill that we will vote on after we
20 discharge this motion, that bill is an important
21 bill. It's been around, as someone had said, for
22 close to 12 years. I believe it was first introduced
23 by Council Member Perkins, and I know that
24 subsequently my husband, then Assembly Member Charles
25 Barron, carried the bill and others came behind after

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that, inheriting the bill and carrying it forward.

This is an age that we're living in when so many of

the other elements in our country are looking to

restrict and limit voting rights, voting

opportunities. I think that we've got to make sure

that as people are here-- yes, some people are

concerned that it's only a month, but as they're here

that they be educated as to what's going on and

encouraged to join those of us who do vote, which I

believe only comes to about 20 percent. I'm not sure

the exact number. And we need to also encourage

those who are already registered to vote to come out

and vote. And the last point I want to make on this

point is that the bill as it stands, I believe, won't

affect any elections until perhaps June of 2023. So

we certainly have-- not we individually, but the

Council coming in behind us will certainly have an

opportunity to look at how they might want to refine

the bill or make modifications or amendments to that

bill. Much prior-- much time to have to consider that

before the bill would take effect. Thank you very

much.

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COUNCIL MEMBER CUMBO: Thank you so much.

We now have Council Member Cornegy followed by
Council Member Dromm.

COUNCIL MEMBER CORNEGY: Madam Majority
Leader, I actually defer my time. Thank you.

COUNCIL MEMBER CUMBO: Okay, we'll now
have Council Member Dromm.

COUNCIL MEMBER DROMM: Thank you, Madam
Majority Leader. I really appreciate the opportunity.
I also want to acknowledge Council Member Perkins and
Council Member Barron who carried this legislation
before I did. I carried it for the first two terms
that I was in the New York City Council for eight
years, and because when became Finance Chair I asked
Ydanis Rodriguez to take it, and I'm so glad that
he's going to take it over the finish line today. I
want to urge my colleagues to vote against this
motion. It is going to table it, as has been said
before. This is an attempt to stifle voters and to
disenfranchise voters. We have seen these attempts
all over the country happening before. If you are a
true believer in democracy, you will vote in favor of
this. we should be enfranchising voters and making
sure that everyone who pays taxes, which is the

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1 founding principle of this country, no taxation
2 without representation, and we should be firm in our
3 support of that basic and fundamental American right.
4 It is way past time to pass this legislation. We
5 have had enough discussion. We've had enough attempts
6 to push it aside, and now is the time to pass this
7 legislation. Thank you, and I look forward to making
8 sure that this motion is defeated and that we take
9 the vote on the overall bill, the legislation that is
10 before us. Thank you.

11
12 COUNCIL MEMBER CUMBO: Council Member
13 Holden? Followed by Vallone.

14 COUNCIL MEMBER HOLDEN: This motion is
15 really to send it back to committee. And it-- so
16 what's the big deal if it gets to the other council,
17 the next council? Is it to put a feather in your cap
18 to send this right and vote on this today? By the
19 way, at the democratic conference that we had, we had
20 a number of questions and nobody could answers these
21 questions. Like how many actual voters will be
22 voting in these elections? Can the Board of Election
23 handle this? Can they even handle this without
24 screwing it up and without giving the wrong forms?
25 And that will happen, folks. That will happen. And

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again, if you want to become a citizen, you become a citizen by doing months of study, obviously. You study the Bill of Rights. You answer 100 questions to become a citizen. You're an educated voter by then, hopefully. You're saying with this bill that we don't really want an educated voter. Somebody here 30 days, folks, 30 days can vote in our election, decide who our Mayor, City Council, and other elected officials could be. Again, I'm not really that educated. You're not asking them to go to class. You're not asking them to study New York City history or the electorate. You're not asking anything. You're saying you should-- taxation without representation. Well, guess what, folks? We represent them. Does anybody turn away somebody who's not a citizen? Does anybody do that here? We all represent them, so stop with that. Let's do the right thing here, and let's take some time. Get the answers, folks. That's all we're asking. So I support the motion. Thank you.

COUNCIL MEMBER CUMBO: Thank you, Council Member Holden. We'll now have Council Member Vallone, followed by Council Member Reynoso.

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2 COUNCIL MEMBER VALLONE: Good afternoon

3 everyone. Thank you, Madam Majority Leader. You

4 know, I think there's a single point that some of us

5 who may be for the bill or oppose the bill that just

6 can't get past. We all have our immigration stories

7 and very proud of them and we should be. That's how

8 we got here. But the bill has a fatal flaw, and when

9 we brought the questions up about that one flaw,

10 we've yet to get that answer, and it's not the answer

11 of bringing up our immigration stories with the right

12 of those who toiled here so long that the ability to

13 have a say in local government. No one is saying,

14 however, that that person should have a right after

15 just 30 days. And if that point needs to be

16 reargued, resubmitted, re-figured out by committee or

17 the next Council, then so it be. Thirty days is not

18 enough for someone to decide who's going to represent

19 the greatest city in the world, irrespective of what

20 country you come from, irrespective of what you

21 believe on this particular bill. You can be for it

22 or against it, but nobody is for 30 days, and that's

23 part of this bill, and that is where I struggle with

24 this bill. It's not a matter of being pro or against

25 immigration or pro-voting or against your ability to

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1 have that vote. It's saying is that enough? Is that
2 what we want to vote on today? To give someone who
3 is just visiting or someone who's a transient worker
4 or someone who is just here for 30 days to say, "Yep,
5 that should be the Mayor. That should be the Borough
6 President. That should be the Council Member." How
7 do you even engage those people? We don't even know
8 how to properly interact in the way to submit an
9 informed vote. So that's my concern. We mentioned
10 it at the delegation conference and we've mentioned
11 it before. And you're not going to get those who re
12 for or against the bill on its merits together today
13 on that. But that particular point, and that's the
14 one that has concerned me from the beginning, the 30-
15 day requirement, and for that we have to seriously
16 consider this motion and push it off to the next
17 calendar. Thank you.

18
19 COUNCIL MEMBER CUMBO: Thank you Council
20 Member Vallone. Council Member Reynoso.

21 COUNCIL MEMBER REYNOSO: Thank you, Madam
22 Majority Leader. It just never fails. When white
23 power or white men's power is being attacked, what
24 they would consider being attacked, they stand up and
25 they fight. They fight to preserve their power and

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their influence. And what we're saying today is that [inaudible]. There are people in this city that participate in every aspect of this great country in all positive ways, raising children, sending children to public schools, riding on our roads, driving on our roads, and it's about time that they have a say as to what their representation looks like, and we have to stop and think about this sea of mostly white men that have stood up against this bill at this moment in an effort to preserve their power and influence, and that is exactly what will happen every time you challenge power. The faces always look the same, and it just never fails, and I was hoping that today we could have seen something different. This bill will pass today. It will. Maybe make another effort another time when you reassume power, I guess, to try to undo what I think is the principle foundation of democracy which is the right to vote, specifically if you're paying taxes. So, I encourage all my colleagues to vote no on this request put forth by Council Member Gjonaj and to vote no on any amendments, and vote yes on the bill. Thank you.

COUNCIL MEMBER CUMBO: Thank you, Council Member Reynoso. Commission Cornegy?

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2 COUNCIL MEMBER CORNEGY: Thank you, Madam

3 Majority Leader. I would like to-- as a sponsor of

4 the bill, the original sponsor of the bill, I would

5 like to offer a different perspective. You know, I

6 appreciate and respect everyone's immigrant story.

7 However, my ancestors did not come here as

8 immigrants. We came here as slaves and fought

9 vehemently to be able to be a part of the fabric of

10 America and literally die for the right to vote,

11 blood, sweat, and tears, and are still engaged and

12 embroiled in eroding voter rights acts for

13 communities of color across the country. So it's

14 hard. Again, I am a sponsor, but I'm reminded of the

15 tremendous amount of work that continues for black

16 communities across any eroding impact of our votes in

17 the very districts that we serve in. so, I certainly

18 would like to see this, you know, pulled through and

19 made sure that there are no opportunities for us as

20 people who came here as slaves, and like I said,

21 literally died. We don't lose our place in the ranks

22 through voting. So I mean, listen, I'm an original

23 sponsor, and like Antonio said, it'll probably be

24 passed, but I would be remiss if I didn't remind

25 people that there's one more perspective that we

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haven't talked about, and that is a different kind of immigrant experience and a different kind of voter rights that we still are suffering throughout the country. We all have applauded the work of voter rights advocates in the south, black women's vote, and all those kinds of things, and that's not being heard or represented sometimes, and it's not being heard or represented in this bill. it may very well pass, but like I said, I would be remiss if I didn't offer that perspective of representing a people whose vote has monumentally been taken for granted and now has eroded to the place where even the Voter Rights Act that were put in place to protect our vote and our voices are being eroded.

SERGEANT AT ARMS: Time.

COUNCIL MEMBER CORNEGY: Thank you.

COUNCIL MEMBER CUMBO: Thank you, Council Member Cornegy. I-- at this point I'm going to offer my remarks. This is a very personal issue to me and it's been very emotional. Council Member Ydanis Rodriguez is my brother and we have been in a foxhole, as many of you know, for the last year very closely working together. There's so many progressive ideas right now that are on the table in

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terms of voting rights acts and things that we're going to do to empower communities of color. We've seen that most recently with Rank Choice Voting. In the last Rank Choice Voting Mayoral election, we had an African-American Man, Eric Adams, won the primary night with 30.7 percent of the vote, Maya Wiley with 21.4 percent of the vote, and Garcia with 19 percent of the vote. But we saw through a Rank Choice Voting process, Eric Adams wound up winning by 50.4 percent and Garcia by 49.6 percent. So what we're seeing in that is we had an extraordinary experience of Eric Adams and Maya Wiley coming in first and second in a mayoral race in New York City. this was historic, but through a process, had it have been successful, the third place white woman candidate could have beat both the African-American men and the African-American woman through a process called Rank Choice Voting that was supposed to empower black communities, and if it had been successful, it would have done just that. It would have taken out the two winning African-American candidates. We are in a process right now. We just completed a census. Redistricting is happening. Our communities and the composition of our communities are changing, and for

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me, with this particular legislation, I'm concerned as Council Member Cornegy talked about, where do African-American voters fit in. And we're not just talking about some sort of ethnic group. we are talking about the people for the last century who have protested, who have been on the front lines, who have died, who have been lynched, who have given their lives and shed blood, sweat, and tears as we saw on the Edmund Pettis Bridge on Bloody Sunday. We are the people that are fighting for the right for all people. I want everybody in this room to recognize that if not for the sacrifice of African-American people the vast majority of people in this room would not have the right to vote. You would not be able to have the right to vote. You would not be able to hold the seats that many of you hold here if it had not been for African-Americans. So it's critical when we're passing all of these progressive measures of legislation that we recognize the African-American contribution to making it possible. This is essentially in many ways-- this is going to-- this particular legislation is going to shift the power dynamics in New York City in a major way, and we do not have the numbers or the information to know

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how that is going to impact African-American communities who have been the most vulnerable in their existence in New York City. Gentrification has taken root in our communities. Our businesses have been taken over. Our homes have been taken over. Our schools have been co-located. The only thing that many African-American communities have left are their black representatives and representation. This bill, in many of our communities, in areas such as upper Harlem and otherwise are going to be dramatically changed. Because we are all black and brown, because we're all black and brown and other races doesn't mean that we all share the same values and principles that we're all going to vote and do things in the same way. This measure will also change some districts, Republican to Democratic, Democratic to Republican. This is going to change our communities in a major way. And I'll just conclude by saying, the 30 days-- do you know how long African-Americans had to fight to no longer be considered three-fifths of a man? We had to fight so hard just to be considered a whole person in this area, and we would then say in many ways that someone could be here for 30 days. There are different

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classifications of a green card. Not all green cards take five to seven years. Some of them you get temporarily immediately, and we are not discussing those temporary green cards at all. So, I think it's important that we continue to have this discussion, and again, as the Majority Leader, I just want to close with saying in this body we should never shy away from wanting to ask questions. We should never shy away from wanting more information. We should never shy away from wanting to be able to make a bill better. We can't continue with the expediency or the fear that we're going to be cancelled if we even are known to have asked for more information or for more questions, or to want to make something better. That culture needs to end in order for us to produce better bills, to be more comprehensive, and to make sure that everybody is included in the bills that we are pushing forward. I've never heard in this one discussion about how the African-American voter is going to be impacted by this bill. This is going to be a great win for the ethnic groups that are going to be the highest number in the City of New York. And so, Ydanis, this is your legacy. This is yours, and this is going to be a huge win numerically for

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the Dominican Republic community, and I applaud you for that. We're all here to support our ethnic groups, and we're all here to make sure that we all win, but I need to know in supporting this, which I need more time, how are African-Americans going to be impacted, because that's the community I come from. I'm clear how the Dominican Republic community will benefit, but not the African-American community, and it's only fair that I know that information. Thank you. Council Member Grodenchik?

SPEAKER JOHNSON: The mic's not on.

COUNCIL MEMBER GRODENCHIK: Thank you, Majority Leader Cumbo, Mr. Speaker, my colleagues. I want to congratulate Ydanis Rodriguez for this legislation. I don't necessarily agree with it, but I've known Ydanis for six years since I entered the Council. I know he's passionate. I know that Danny Dromm, my dear friend of many years, is passionate about this. I got up to speak because race was injected into this debate today, and I have to tell you I resent that. I truly resent that. I represent one of the most diverse districts in the City of New York. I am a product of New York City. I was born in the Bronx. I raised in New York City public housing

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in Queens, and I have been blessed to be a public school graduate here, and a graduate of State University of New York. And I want to tell you about my experience. My grandfather came here about this time in 1903. He was fleeing oppression, and he was not seen as a white guy in czarist Russia. He was seen as a Jew, and my grandmother came and they were married in Margaret Chin's district in 1907, and my grandparents, the other grandparents came from the Polish part of the Austrian-Hungary Empire in 1912. And I'm grateful that they did, because the truth of the matter is that the rest of family was murdered by the Nazis [inaudible] their name be obliterated. And I stand here today in my last few weeks of my public service career to say that this bill should be debated on the merits. I have worked, I have represented a majority, almost majority Asian-American district. I work with Latinos and blacks and people from all across the world who came to this city because they wanted one thing. They wanted freedom. Just a few more seconds, madam Majority Leader.

COUNCIL MEMBER CUMBO: You can conclude.

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2 COUNCIL MEMBER GRODENCHIK: Thank you. So
3 to me, I don't think that you should vote unless
4 you're a citizen, and that's what I've held for a
5 long time, and I respect everybody's opinion here.
6 But I just want people to know my story, that I would
7 not be alive if we were in the other country, because
8 in the other country Jews were viewed as subhuman.
9 Thank you, Ms. Majority Leader.

10 COUNCIL MEMBER CUMBO: Thank you so much.
11 I thank you for sharing your story. Council Member
12 Gennaro followed by Council Member Treyger.

13 COUNCIL MEMBER GENNARO: Thank you.
14 Thank you, Madam Majority Leader. I wish to be
15 associated with your good remarks on this bill. I
16 guess I have two things to mention, and this is
17 something that I mentioned to the sponsor of the
18 bill. You know, to me, there's a fundamental
19 unfairness that is introduced when you tell a
20 resident of New York City, a permanent resident, that
21 they now will be bestowed with the privilege of
22 voting for local-- for local government officials,
23 but they don't have the ability to run for those
24 offices. So, we're telling them that you're good
25 enough to vote, but not good enough to hold office.

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They're good enough to vote for mayor, but not be mayor, and to me that's, you know, kind of like a cast system there. And so I think this is one of the fundamental-- I mean, here we're trying to argue about what's-- what kind of-- you know, debate about what's fair, but you know, to me it's-- that a fundamental unfairness which is built in, if we told somebody that you can vote. You know, you can do that, but you can't, you know,-- you can't run for office. And [inaudible] would say this could be an attempt for people to say, look, we're looking for permanent residents to vote for us, but you don't get chance to like run against us, and that's a problem for me. And also, fundamentally, you know, I and everyone in this body took an oath, an oath, to uphold the Constitution of the State of New York, and this, no matter how you feel about it-- certainly on its face violates the Constitution of the State of New York and voting for this would be a violation of my oath of office to uphold the Constitution of the State of New York. Thank you, Madam Majority Leader.

COUNCIL MEMBER CUMBO: Thank you so much.

We'll now here from Council Member Treyger.

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2 COUNCIL MEMBER TREYGER: Thank you,

3 Majority Leader. We've heard quite a bit. I speak as
4 a proud son of immigrants, grandson of immigrants,
5 and I want to offer a unique perspective that I have
6 not heard so far today. When the vote came before
7 the Council in the last term about the city ID cards,
8 myself and I believe also Council Member Maisel
9 abstained, and the reason for that was because I
10 specific questions about who had access to the
11 information of the residents that would apply for the
12 cards, and that was before the election of trump, and
13 I was told, "Council Member, your questions and your
14 concerns are being overblown." And later, with the
15 election of President Trump, that became a major
16 issue in New York, because they went after that
17 information. And so I heard someone say earlier that
18 Trump era is over. I beg to disagree. He no longer
19 is president, but there are people in power who
20 absolutely continue that Trump legacy and those Trump
21 policies, and there are serious questions about the
22 Board of Elections' capacity. Who will be
23 responsible to verify paperwork? If residents ask,
24 "Is my information safe?" Who will be privy to it?
25 The same Board of Elections that still has people who

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2 have been dead for years on their roles will be privy
3 and be responsible to process very sensitive,
4 important, and critical information. And can any of
5 us say with a straight face that their information
6 will not be compromised?

7 SERGEANT AT ARMS: Time.

8 COUNCIL MEMBER TREYGER: And I also want
9 to say for the record-- I also want to say for the
10 record that as the first Russian-speaking official in
11 New York City history, according to what I've been
12 told, when I ask the city to pass a law to require
13 interpreters for not just Russian-speaking residents,
14 but other languages, I was told that we didn't have
15 the authority. I was told that we did not have the
16 authority to get interpreters at poll sites to assist
17 voters. So I wanted to offer those perspectives on
18 the record, Majority Leader. Thank you for the time.

19 COUNCIL MEMBER CUMBO: Thank you so much,
20 Council Member Treyger. Council Member Cabán?

21 COUNCIL MEMBER CABÁN: Yeah. Thank you.
22 Thank you. I was not expecting to speak on my first
23 day in chambers with y'all, but I feel really, really
24 strongly about this. When I took office, the first
25 piece of legislation was this one. I stood on the

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steps with all of the advocates and directly-impacted folks earlier this morning and said in full sincerity that there is not one piece of legislation before this body at this moment that does more to expand democracy and to lift up the folks of the people that make this city what it is. Expanding the right to vote for some folks does not in any way diminish or tarnish the right to vote for other folks. Yes, I understand that amongst our communities we have different experiences, different struggles, but what anchors all vulnerable communities, whether you are black, brown, the disability community, whether you are queer, the intersection of any marginalized identity that these systems were not made for, what anchors us in those struggles are so common and the same, and it is really divisive to say that our power as one specific community would be watered down by extending the right to allow other voices into our halls of power. This is about making sure that every single person in our city that contributes to our way of life and living has a voice and a vote, and the only way to do that-- the only way to do that is to allow folks the power to step into the voting booth and exercise that right. You can't just say that we

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as elected officials, we're just going to look out for you. We're just-- don't worry, we got you. You don't need to vote for us to be able to do that. It's nonsense, and we know it. Generation after generation we have seen our people be left behind because they have not had that power. So I'm grateful for Council Member Ydanis Rodriguez and stand firmly with him and the rest of the coalition to say that we need to pass this and we need to pass this now. We should not be waiting another decades, another minute to get this done. Thank you.

COUNCIL MEMBER CUMBO: Council Member Ydanis Rodriguez?

COUNCIL MEMBER RODRIGUEZ: [inaudible] the hearing of Government Operations, I couldn't control my emotion because I came here to wash dishes at Old Henry Restaurant at West 46th Avenue. And then now it's a Capital Bank when I pass by. And then my second job was working [inaudible] Corporation, a cafeteria inside Two Broadway. So when that happened [inaudible] having meet with the DOT Commissioner, and it's those days that my daughter go to her school, I walk by and see them in the front, and I share with them that reality. So

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this is different from all the bill about regulating how people vote, right? This is not about amending anything that we have different interpretation. This is about how the City of New York have the responsibility to go back to our New York State Constitution of 197-- 1777 that allow people no citizen to vote, and that point of time were longer as Public Advocate Jumaane Williams stated today. People voting without being citizen, then people not being allowed to vote because they're not citizen. How did it happen? When did it happen? What fear does it bring? Go to Texas. See what's going on there. Why are they passing legislation? To secure, to be sure that they will establish that no citizen will not, able to vote. Because the federal law of our country established that in order to vote in federal election, President by President, Members of the House of Representatives, senator, it is a must to be citizen. Now when my collage, goof friend Borelli, that even though we don't agree with this he's my good friend and we do a lot of work together and we have a lot respect to each other, disagree that the New York State Constitution never use the word "only." When they talk about citizen have the

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right to vote. They don't use the word only. You don't find it. And that's [inaudible]. That's the piece [inaudible] real unusual of the Washington Post story today. Hear from the academic what are the same, that we have the right to do it. So it's interesting that besides two or three colleagues, right, that took the floor to address the 30 days, right? The rest [inaudible] to my Trump supporters. They don't agree with 30 days. They've been speaking about why we should not pass this bill. So they will not be voting for this bill. This the Democratic agenda. This is about us showing Texas, San Antonio, Colorado, other states how we do business. What is democracy all about it? That's what we're doing. My good friend, Majority Speaker, you have a great conversation with Berta Louis [sp?] from the Black Institute, and she show them number to you. And she showed to you that close to 400,000 new voters are black. They come from Nigeria. They came from Mali. They come from Ghana, they are [sp?], Haitian. They're Jamaican, close to 400,000. And for those that want to bring fear on the 30-day, let me give you a number. From-- the close to a million new voters. Right now 800,000 number is the number that

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we're using. Five hundred thousands are individuals that have green cards. So for those that want to bring fear about the undocumented, my brother, [inaudible] undocumented within [sic] New York City working at the deli, working in supermarket. They did the same job that I did from '83 to 2000 when I had a green card and I worked at Old Henry Restaurant in the cafeteria, driving a taxi, being at City College organizing the student [inaudible], graduated from City College and being a teacher from '93 to 2000 at [inaudible] school. I did it with green card. I don't want to challenge anyone who believe that the US citizen [inaudible] higher level, because I compare myself. When did we come to this conclusion? When? [inaudible] look like in movies and think about a place in this world where human beings are living together, and a group is telling the others you are here for years working hard, paying taxes, and you don't have a right [inaudible]. For God sake--

SPEAKER JOHNSON: [interposing] Ydanis--

COUNCIL MEMBER RODRIGUEZ: Let's get it done. Let's vote no on this amendment. Si se puede.

SPEAKER JOHNSON: Madam Majority Leader?

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2 COUNCIL MEMBER CUMBO: We will now take a
3 roll call vote? Yes, Speaker Corey Johnson?

4 SPEAKER JOHNSON: There has been a robust
5 and lively debate on the floor of the New York City
6 Council. It doesn't happen often here, but I'm glad
7 we're having this debate, and all I want to say is
8 today needs to be a historic day for our city, for
9 our country. This is the right thing to do. Let's
10 not get distracted. Let's get this done. I implore
11 all of my colleagues and friends to vote no on this
12 motion to recommit, to vote no on any amendment, and
13 to get to the bill, and let's prove it. Thank you
14 very much. I ask for a roll call vote on Council
15 Member Gjonaj's motion to recommit.

16 COUNCIL MEMBER CUMBO: Thank you, Speaker
17 Johnson.

18 COUNCIL CLERK: Adams?

19 COUNCIL MEMBER ADAMS: [inaudible]

20 COUNCIL MEMBER CUMBO: Excuse me? Oh,
21 yes, ma'am.

22 COUNCIL MEMBER ADAMS: Thank you very
23 much, Madam Majority Leader. Respectfully, welcoming
24 our newest members, Council Members Cabán and our
25 Council Member Inna, and Council Member Carr.

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Welcome to the New York City Council. We are experiencing an amazing day today, and for that I congratulate all of my colleagues for this spirited debate. Mr. Speaker, I only rise to express my opinion. Twelve years is too long for any piece of legislation to languish, particularly a piece of legislation that affects thousands upon thousands of people who pay taxes in the City of New York that contribute to our wellbeing as citizens of the City of New York, and for one who will be returning in January as a member of this amazing body, what I say to my colleagues is that 12 years is 12 years too long for this legislation. We must make this happen today, and for those of us returning in January, it will be incumbent upon us to amend this legislation if we deem so necessary. I vote aye. I vote no on the amendment, but I will vote aye on the bill.

SPEAKER JOHNSON: Hold on. It's not the amendment. You vote no on the motion to recommit.

COUNCIL MEMBER ADAMS: Yes.

SPEAKER JOHNSON: You vote no on the motion to recommit?

COUNCIL MEMBER ADAMS: Yes, Mr. Speaker, I do vote no on the motion to recommit--

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2 SPEAKER JOHNSON: Thank you. Thank you.

3 COUNCIL MEMBER ADAMS: respectfully to my
4 amazing colleague, Council Member Gjonaj.

5 SPEAKER JOHNSON: Thank you, Council
6 Member Adams.

7 COUNCIL CLERK: Thank you. Ampry-Samuel?

8 COUNCIL MEMBER AMPRY-SAMUEL: I vote no.

9 COUNCIL CLERK: Ayala?

10 COUNCIL MEMBER CUMBO: Everyone at this
11 time needs to vote at the microphone.

12 COUNCIL MEMBER AYALA: I vote no.

13 COUNCIL MEMBER CUMBO: Thank you.

14 COUNCIL CLERK: Barron?

15 COUNCIL MEMBER BARRON: Thank you. I
16 vote no on this motion to recommit. We cannot
17 disenfranchise and deny people who are entitled to
18 vote the opportunity to vote in local elections.
19 Thank you.

20 COUNCIL CLERK: Thank you. Brannan?
21 Council Member Brannan? Brooks-Powers?

22 COUNCIL MEMBER CUMBO: We'll come back.

23 COUNCIL CLERK: Cabán?

24 COUNCIL MEMBER CABÁN: I vote no.

25 COUNCIL CLERK: Cabrera? Carr?

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2 COUNCIL MEMBER CARR: I vote yes.

3 COUNCIL CLERK: Chin?

4 COUNCIL MEMBER CHIN: I vote no.

5 COUNCIL CLERK: Thank you. Cornegy?

6 COUNCIL MEMBER CORNEGY: Yes.

7 COUNCIL CLERK: Darna Diaz?

8 COUNCIL MEMBER DIAZ: I vote no.

9 COUNCIL CLERK: Ruben Diaz?

10 COUNCIL MEMBER DIAZ: Permission to
11 explain my vote?

12 COUNCIL MEMBER CUMBO: Permission
13 granted.

14 COUNCIL MEMBER DIAZ: Thank you, Madam
15 Majority. I have this black guy with kinky hair and
16 a broken English from [inaudible] Puerto Rico is a US
17 citizen, but when I go to Puerto Rico being a US
18 citizen, I cannot vote for President of the United
19 States because the Constitution, because the law
20 requires so. When I got elected as a Council Member
21 I swear to you with my hand in the bible to protect
22 and defend the Constitution of the United States.
23 Today, I cannot vote against the Constitution even
24 though it sounds good, possibly a good quality and a
25 humanitarian thing, but this black guy with kinky

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2 hair, broken English from [inaudible] Puerto Rico is
3 voting yes in this [inaudible].

4 COUNCIL CLERK: Dinowitz?

5 COUNCIL MEMBER DINOWITZ: I first just
6 want to thank every single person who spoke on this
7 for speaking from the heart, and I want to say I
8 deeply respect everyone's view and respect everyone
9 for sharing their thoughts. I vote no on the motion
10 to recommit.

11 COUNCIL CLERK: Dromm?

12 COUNCIL MEMBER DROMM: I vote no on the
13 motion, because I support my immigrant constituents.

14 COUNCIL CLERK: Eugene?

15 COUNCIL MEMBER EUGENE: I vote no.

16 COUNCIL CLERK: Thank you. Feliz?

17 COUNCIL MEMBER FELIZ: I vote no.

18 COUNCIL CLERK: Thank you. Gennaro?

19 COUNCIL MEMBER GENNARO: Aye.

20 COUNCIL CLERK: Gibson?

21 COUNCIL MEMBER GIBSON: I vote no.

22 COUNCIL CLERK: Thank you. Gjonaj?

23 COUNCIL MEMBER GJONAJ: Aye.

24 COUNCIL CLERK: Thank you. Grodenchik?

25 COUNCIL MEMBER GRODENCHIK: Aye.

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2 COUNCIL CLERK: Holden?

3 COUNCIL MEMBER HOLDEN: I vote aye.

4 COMMITTEE CLERK: Kallos?

5 COUNCIL MEMBER KALLOS: No.

6 COUNCIL CLERK: Koo?

7 COUNCIL MEMBER KOO: I vote no to the
8 amendment.

9 COUNCIL MEMBER CUMBO: Yes.

10 SPEAKER JOHNSON: How did he vote?
11 Council Member Koo, how did you vote, yes or no?

12 COUNCIL MEMBER KOO: I vote no to the
13 amendment.

14 COUNCIL CLERK: Thank you Council Member
15 Koo. Koslowitz?

16 COUNCIL MEMBER KOSLOWITZ: No.

17 COUNCIL CLERK: Lander?

18 COUNCIL MEMBER LANDER: No.

19 COUNCIL CLERK: Council Member Lander?

20 COUNCIL MEMBER LANDER: You couldn't
21 hear me? That wasn't loud enough? I vote no.

22 COUNCIL CLERK: Thank you. Brannan?

23 COUNCIL MEMBER BRANNAN: No.

24 COUNCIL CLERK: Levin?
25

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2 COUNCIL MEMBER LEVIN: No on the motion
3 to recommit.

4 COUNCIL CLERK: Levine? Louis?

5 COUNCIL MEMBER LOUIS: I vote no. And
6 I'm hoping when the incoming class comes in that we
7 can do this the right way, implementing it the right
8 way.

9 COUNCIL CLERK: Maisel?

10 COUNCIL MEMBER MAISEL: Yes.

11 COUNCIL CLERK: Menchaca?

12 COUNCIL MEMBER MENCHACA: In the name of
13 restoring rights, voting rights, to our New Yorkers,
14 I vote no on the motion.

15 COUNCIL CLERK: Miller?

16 COUNCIL MEMBER MILLER: Nay [sic]

17 COUNCIL CLERK: Thank you. Moya?

18 Perkins? Powers?

19 COUNCIL MEMBER POWERS: No.

20 COUNCIL CLERK: Reynoso?

21 COUNCIL MEMBER REYNOSO: No.

22 COUNCIL CLERK: Thank you. Riley?

23 COUNCIL MEMBER RILEY: No.

24 COUNCIL CLERK: Thank you. Rivera?

25 COUNCIL MEMBER RIVERA: I vote no.

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2 COUNCIL CLERK: Rodriguez?

3 COUNCIL MEMBER RODRIGUEZ: I vote no, and
4 for clarification, Council Member Diaz was signing on
5 this bill when he was running for Congress, but I
6 vote no on this.

7 COUNCIL CLERK: Rose?

8 COUNCIL MEMBER ROSE: Permission to
9 explain my vote?

10 COUNCIL MEMBER CUMBO: Permission
11 granted.

12 COUNCIL MEMBER ROSE: Thank you. I want
13 to say that this is one of the few times-- I've been
14 here 12 years-- that I've seen such spirited debate.
15 I came to the floor with a notion to vote a certain
16 way, and so I appreciate the debate and all the
17 thoughtful comments that were made by my colleagues.
18 I am going to vote no for this motion, but it is with
19 reservation, because I do feel that 30 days is not a
20 sufficient amount of time to be invested in this
21 country and this city. And so I'm voting against the
22 amendment after much-- hearing much of the debate,
23 but I do hope that when this pass, and I know it will
24 pass, that we will look at making sure that people
25 who vote-- and I'm not talking about the people who

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2 are here now who have green cards, but people who
3 come here really have a vested interested, and that
4 this not be used to-- for other purposes. So I'm
5 voting no.

6 COUNCIL MEMBER CUMBO: Thank you, Council
7 Member Rose.

8 COUNCIL CLERK: Rosenthal?

9 COUNCIL MEMBER ROSENTHAL: I vote no.

10 COUNCIL CLERK: Salamanca?

11 COUNCIL MEMBER SALAMANCA: I vote no.

12 COUNCIL CLERK: Treyger?

13 COUNCIL MEMBER TREYGER: I vote no on the
14 motion.

15 COUNCIL CLERK: Ulrich?

16 COUNCIL MEMBER ULRICH: I vote yes on the
17 motion to recommit.

18 COUNCIL CLERK: Vallone?

19 COUNCIL MEMBER VALLONE: Yes on the
20 motion.

21 COUNCIL CLERK: Van Bramer?

22 COUNCIL MEMBER VAN BRAMER: On behalf of
23 the people of Woodside [sic] and Sunnyside, Long
24 Island City, and Astoria, and in memory of my
25 grandmother, I am proud to vote no.

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2 COUNCIL CLERK: Vernikov?

3 COUNCIL MEMBER VERNIKOV: I vote yes on
4 the motion.

5 COUNCIL CLERK: Thank you. Yeger?

6 COUNCIL MEMBER YEGER: Madam President,
7 May I be excused to explain my vote?

8 COUNCIL MEMBER CUMBO: Permission
9 granted.

10 COUNCIL MEMBER YEGER: Thank you very
11 much. I appreciate it. You know, we don't get to
12 debate often enough in the Council, I believe. My
13 colleagues who are here for 12 years probably agree
14 with me. I'm only here four years and I've had more
15 debate when I was on a Community Board than I've had
16 here. So I appreciate the chance to do this. I'll
17 say a number of things. First of all, you know, this
18 was a motion to send it back to a committee. It's
19 not a motion about whether or not you want immigrants
20 to vote or not vote or any of that, but it became
21 important during the course of this debate that
22 everybody has to discuss their personal story. So,
23 my story, because I've said this before on this
24 floor. My father came here on a boat with his
25 parents and his older brothers. He-- my four

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grandparents, none of whom were born here, in various trips escaped the atrocities of Nazi Germany from various places, from Poland, from Lithuania, from Russia. One of my grandfathers made his way from Russia over the water into Japan where he was able to live for a few years-- for a few days, until he was able to move to China to Shanghai where he stayed for several years before being welcomed into the United States. They didn't have the right to vote. This is not about their right to vote. None of them have seen me be elected. They never missed an election, by the way, after they became citizens, but none of them saw me elected, they weren't alive. My grandmother was. She was actually my constituent until she passed away a year ago. So one of my grandparents did see it. It's an American Dream, the right to vote. This debate now was not about the right to vote. It was about a motion to send it back to a committee. So what happens here at the Council? We know the rule, because we've seen it for the last four years. I've seen it for a long time in politics. Whoever doesn't agree with you must be a racist. Must be. Has to be. You don't agree with me, you love white power. You have to be. You don't agree with me, you're a

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Trumpist. You don't agree with me, it's because you hate Latinos. Twenty years ago when I was working for the historic campaign of a candidate for Mayor of New York who was of Puerto Rican descent, the gentleman who just referenced another member of this body's support for this bill was supporting the Jewish candidate 20 years ago. When I was supporting Fernando Ferrer and the gentleman was supporting Mark Green. Don't come here and tell us that we're racist because we don't agree with you. When have I ever said that to you? When has anybody who's on the other side of you ever said that to you or anybody else? It happens all the time. Mr. Speaker, you know you've seen it for the last four years. It happens all the time. Don't agree with me, you're a racist. You're a Trumpist. You're this, you're that. How about I just have a policy difference? How about I read the Constitution? I went to law school just like the lawyers in this Council and I read the Constitution and it means something to me. No, it has to be we're racists, has to be. You're leaving the Council in 20 days. It's a chance to stand up and say, you know, maybe not everybody who disagrees with me is racist. I know not everybody who

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2 disagrees with me is racist, and I'll say that. So
3 with that, I vote aye on the motion to send it back
4 to the Committee, which I'm proud to serve, and the
5 Council which may hear it next year or may not, but
6 I'm thankful to my neighbors for sending me back here
7 to do their work. Thank you.

8 COUNCIL MEMBER CUMBO: Thank you, Council
9 Member Yeger. And I just want to make a reminder
10 that I was supposed to make earlier that in our
11 comments, we should refrain from referencing one
12 another in our statements. So let's continue to-- I
13 mistakenly did it as well, but we should not mention
14 either of us by name, because we can't continue a
15 continuous debate. Council Member Borelli, you were
16 going to speak? Oh, you were just stretching. I'm
17 sorry? Oh, okay, yes.

18 COUNCIL CLERK: Brooks-Powers?

19 COUNCIL MEMBER BROOKS-POWERS: Permission
20 to explain my vote?

21 COUNCIL MEMBER CUMBO: Permission
22 granted.

23 COUNCIL MEMBER BROOKS-POWERS: So, just
24 wanted to put on record that I'm looking forward to
25 the next Council to be able to work to perfect this

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2 bill, one that I definitely support as a co-sponsor,
3 as a first-generation American, but I do find to have
4 some concerns which I have been working alongside the
5 prime sponsor with the hopes of perfecting this piece
6 of legislation, and it is my hope that in the next
7 council we are able to take it a step further. So,
8 while I support the concept of this bill, the bill as
9 it is written currently, I have concerns about, but
10 for the purpose of this motion, I will vote no on
11 sending it back to committee. Thank you.

12 COUNCIL MEMBER CUMBO: Thank you, Council
13 Member.

14 COUNCIL CLERK: Thank you. One last
15 time, Cabrera? Levine? Microphone, Council Member,
16 please.

17 COUNCIL MEMBER LEVINE: I vote no on the
18 motion.

19 COUNCIL CLERK: Thank you. Moya?

20 COUNCIL MEMBER MOYA: I vote no on the
21 motion.

22 COUNCIL CLERK: Thank you. Perkins?
23 Borelli?

24 COUNCIL MEMBER BORELLI: Aye on the
25 motion.

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2 COUNCIL CLERK: Cumbo?

3 COUNCIL MEMBER CUMBO: In the spirit of
4 wanting to know more information, in the spirit of
5 wanting to be able to ask more questions, in the
6 spirit of just simply saying, I do not have enough
7 information to know how this particular bill will
8 affect our city, and I want to be clear, the decision
9 that we are making today is going to have national
10 repercussions. What we are doing today is going to
11 set a precedent throughout the nation. Are we moving
12 in the right direction? Yes. Have we implemented as
13 thoroughly as we should have? The answer is no, and
14 I reserve the right to say we need to be at the
15 drawing board to make better-informed decisions. I,
16 as I said before, want to know specifically how it is
17 going to impact African-American communities ? This
18 is a significant community in this city and this
19 nation. All across the United States of America
20 during the Presidential election, battleground states
21 were talked about during the entire election and what
22 meant was how are African-American going to come out
23 to save this country from what was going to become
24 another demise of the next four years. We need to--
25 following this particular vote, black and brown

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communities need to come together to understand how we are going to work collectively together, because throughout these elections we have seen that on so many elections, the African-American community has been the community to save the day, and it was mentioned by other colleagues about our Republican colleagues. African-American as a whole, as a block, have remained true to the ideals of the Democratic Party. We have to make sure that we work together collaboratively, that we make sure that black and brown communities understand that we have had many of the same experiences in this country and that we have to work collaboratively and together. We saw in the presidential election that many other ethnic groups voted Republican jeopardizing the entire future of this country by voting Republican. No offense to my Republican brothers and sisters here. I just want to be clear here, that my concern is how this is going to impact African-American communities. We can't leave that up to circumstance. It's not a coincidence. We can't just let whatever happens happen. This is a very vulnerable group in the City of New York that has sacrificed too much for every single person in this room. So I vote yes, because I

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2 reserve my right to ask more questions, to make this
3 a more effective bill. No one has the answer as to
4 how this is going to impact African-American
5 communities. Nobody has the numbers how it's going
6 to impact the City of New York. No one knows, but
7 the bill sounds good, so we're voting it through.

8 COUNCIL CLERK: Speaker Johnson?

9 SPEAKER JOHNSON: I vote no. Proudly
10 vote no.

11 COUNCIL MEMBER CUMBO: By a vote of 14 in
12 the affirmative, 35 in the negative, and 0
13 abstention, the motion is defeated.

14 SPEAKER JOHNSON: Thank you, Madam
15 Majority Leader. The Council will now consider the
16 separate vote on Introduction 1867A. At this time I
17 ask the Clerk for a roll call vote on Introduction
18 1867A, as it was amended by the Committee on
19 Governmental Operations, the bill we were going to
20 vote on today, before we had this debate. I am
21 requesting a roll call vote since it was decoupled, a
22 roll call vote on that bill.

23 COUNCIL MEMBER CUMBO: Thank you.

24 COUNCIL CLERK: Adams?

25 COUNCIL MEMBER ADAMS: Aye. I vote aye.

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2 COUNCIL CLERK: Thank you. Ayala?

3 COUNCIL MEMBER AYALA: I vote aye.

4 COUNCIL CLERK: Ampy-Samuel? My

5 apologies.

6 COUNCIL MEMBER AMPRY-SAMUEL: I vote aye.

7 COUNCIL CLERK: Thank you. Barron?

8 COUNCIL MEMBER BARRON: I vote aye.

9 COUNCIL CLERK: Thank you. Brannan?

10 COUNCIL MEMBER BRANNAN: Aye.

11 COUNCIL CLERK: Thank you. Brooks-

12 Powers? Cabán? Cabrera? Carr?

13 COUNCIL MEMBER CARR: Nay.

14 COUNCIL CLERK: Thank you. Chin?

15 SPEAKER JOHNSON: That was a no, correct?

16 COUNCIL CLERK: Yes. Yes, Mr. Speaker.

17 COUNCIL MEMBER CHIN: I proudly vote aye.

18 Finally.

19 COUNCIL CLERK: Cornegy?

20 COUNCIL MEMBER CORNEGY: Permission to

21 explain my vote?

22 COUNCIL MEMBER CUMBO: Permission

23 granted.

24 COUNCIL MEMBER CORNEGY: As I stated at

25 the beginning of this debate, I was an original

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1 sponsor on this bill. I asked for-- I voted yes on
2 the motion to recommit because I think that there's
3 much more work that could be done on the bill. I will
4 be voting yes with a reasonable expectation that as
5 we move forward and we discuss issues around voter
6 disenfranchisement in the black community, as we
7 support or don't support Stacey Abrams as she fights
8 for voter rights for black people, as we continue to
9 fight for the full restoration of the Voter Rights
10 Acts that were put in place for black communities,
11 that I can get the same support going forward. Now I
12 won't be a member of this body, but that fight for
13 myself and my family will never stop because I think
14 it's essential and it's part in partial about true
15 democracy in the city. so my vote yes, with the
16 reasonable expectation that everybody on this body,
17 all my progressive colleagues will stand in
18 solidarity with me as I fight for full restoration of
19 the Voter Rights Acts, as I fight for an end to voter
20 disenfranchisement across the country as it relates
21 to black people. Thank you. I vote aye.

22 COUNCIL CLERK: Thank you. Darma Diaz?

23

24

25

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2 COUNCIL MEMBER DIAZ: I vote aye, but I'd
3 like to explain my vote or just make a comment, if
4 that's okay, Majority Leader?

5 COUNCIL MEMBER CUMBO: Yes, ma'am.

6 COUNCIL MEMBER DIAZ: I just-- I want to
7 begin just by thanking you all for this healthy
8 conversation. As a community advocate who's worked
9 with many residents that would have liked to have
10 been able to vote, it's a historic day. As for
11 African-Americans, I've made it my business to take
12 time to go down south to take that walk, to try to
13 have a better understanding. As a Puerto Rican, as a
14 woman, I get it. To the nonprofits that are out
15 there that by my accord, abuse of [sic] residents,
16 today's a new day. It was hard for me to walk the
17 walk and canvas and hear my people that advocated
18 with me for over 20 years, [inaudible] across the
19 street from City Hall advocating for new schools to
20 tell me that they were not a deciding factor. I
21 [inaudible] supported at the hierarchies [sic] and
22 their organizations made that decision for them. I
23 hope they understand [speaking Spanish] Thank you.

24 COUNCIL MEMBER CUMBO: Gracias.

25

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2 COUNCIL CLERK: Ruben Diaz? Council

3 Member Ruben Diaz, Senior?

4 COUNCIL MEMBER DIAZ: [inaudible] I was

5 out of my office. What are we voting for now?

6 SPEAKER JOHNSON: We're voting on the

7 bill itself. So, whether your support the bill or

8 not.

9 COUNCIL MEMBER DIAZ: Okay, alright.

10 Alright, I vote no.

11 COUNCIL CLERK: Thank you. Dinowitz?

12 COUNCIL MEMBER DINOWITZ: I vote yes.

13 COUNCIL CLERK: Dromm?

14 COUNCIL MEMBER DROMM: I vote aye,

15 because as in the words of Langston Hughes, this will

16 bring America closer to being America again. Thank

17 you.

18 COUNCIL CLERK: Eugene?

19 COUNCIL MEMBER EUGENE: I vote aye.

20 COUNCIL CLERK: Thank you. Feliz?

21 COUNCIL MEMBER FELIZ: I vote aye, and

22 briefly, I just feel compelled to say that we've seen

23 and heard different perspectives from people of all

24 backgrounds. I just felt compelled to say that we

25 shouldn't throw the word "racism" anytime that we

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2 have a disagreement with others, regardless of how
3 difficult the issue is. Thank you.

4 COUNCIL CLERK: Thank you. Gennaro?

5 COUNCIL MEMBER GENNARO: I vote no. I
6 wish to be associated with the comments of Council
7 Member Feliz. I vote no.

8 COUNCIL CLERK: Council Member Gennaro,
9 can you clarify that? How do you vote?

10 COUNCIL MEMBER GENNARO: Oh, I'm saying
11 that I'm voting no on the bill--

12 COUNCIL CLERK: [interposing] Thank you.

13 COUNCIL MEMBER GENNARO: but I want to be
14 associated with the comments of Council Member Feliz.
15 I agree with his comments, but I'm voting no on the
16 bill.

17 COUNCIL CLERK: Got it. Thank you.
18 Gibson? Council Member Gibson?

19 COUNCIL MEMBER GIBSON: Colleagues, on
20 behalf of my district and many residents and families
21 who will benefit from this, both from the West
22 African and [inaudible] I vote yes.

23 COUNCIL CLERK: Thank you. Gjonaj?

24 COUNCIL MEMBER GJONAJ: Pass.

25 COUNCIL CLERK: Grodenchik?

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2 COUNCIL MEMBER GRODENCHIK: I vote no on
3 1867, aye on the rest, and I welcome my new
4 colleagues. I'm not going to be here much longer--

5 COUNCIL CLERK: [interposing] Council
6 Member Grodenchik--

7 SPEAKER JOHNSON: [interposing] We're just
8 voting on the single bill. The bill was decoupled.

9 COUNCIL MEMBER GRODENCHIK: OH, I'm
10 sorry, Mr. Speaker. I vote no on 1867.

11 COUNCIL CLERK: Thank you. Holden?

12 COUNCIL MEMBER HOLDEN: I vote no.

13 COUNCIL CLERK: Kallos?

14 COUNCIL MEMBER KALLOS: Yes.

15 COUNCIL CLERK: Thank you. Council
16 Member Koo? Council Member Koo? Koslowitz?

17 COUNCIL MEMBER KOSLOWITZ: No.

18 COUNCIL CLERK: Lander?

19 COUNCIL MEMBER LANDER: Request
20 permission to explain my vote?

21 COUNCIL MEMBER CUMBO: Permission
22 granted.

23 COUNCIL MEMBER LANDER: Thank you Madam
24 Majority Leader. I do deeply appreciate debate on the
25 floor of this body. I think it is good for us to have

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really strong debate and disagree respectfully here.

I will say I think it is profoundly disingenuous,

however, to make it seem as though if immigrants just

work hard, they could become citizens in this country

when Republicans in Congress are denying 11 million

Americans a path to citizenship and have been doing

so for decades. If we lived in a country where

citizenship was offered to all who want it, then it

might make sense to say on the floor of this body

that that should be an expectation of voting, but in

the country we are living and where immigrants are

denied basic human dignity and yet expected to

perform jobs that are essential to us through this

pandemic. I find it a really disingenuous argument.

We are voting to expand municipal voting rights to

our immigrant neighbors in big part because they have

been denied a path to citizenship by Congress, and

that is why I'm so proud of what we're doing today.

I think is not only profoundly morally right, I think

it's economically smart for New York City to be a

place where immigrants can come and participate fully

in our economy and in our democracy. It heralds a

strong and bright future for this city which has

always been an immigrant city which brings people in

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2 and enfranchises them. That is how our whole city
3 thrives, not only our immigrant neighbors, but every
4 single one of us. So, with bright hope for the
5 future of inclusive multiracial democracy in New York
6 City, I vote aye.

7 COUNCIL CLERK: Thank you. Council
8 Member Levin?

9 COUNCIL MEMBER LEVIN: I vote aye,
10 proudly.

11 COUNCIL CLERK: Levine?

12 COUNCIL MEMBER LEVINE: I vote aye,
13 proudly.

14 COUNCIL CLERK: Thank you. Louis?

15 COUNCIL MEMBER LOUIS: I vote aye.

16 COUNCIL CLERK: Thank you. Maisel?

17 COUNCIL MEMBER MAISEL: No.

18 COUNCIL CLERK: Hang on Council Member.

19 COUNCIL MEMBER MAISEL: No.

20 COUNCIL CLERK: Thank you. Menchaca?

21 COUNCIL MEMBER MENCHACA: Permission to
22 explain my vote?

23 COUNCIL MEMBER CUMBO: Permission
24 granted.

25

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2 COUNCIL MEMBER MENCHACA: Thank you,
3 Majority Leader, and thank you to this incredible
4 Council. We are two States away from ending this
5 session, and I feel-- have a lot of feelings right
6 now, but I just want to say thank you for listening,
7 for speaking your truth. I hope that you feel heard,
8 and I know that we don't always agree, but I want to
9 get to the core of so many pieces that I heard that I
10 felt were connected to things like fear. That is
11 what will prevent us from moving forward as one city,
12 our city, our vote. What I kept being reminded of are
13 the immigrant communities that came out without being
14 asked during Sandy to rebuild. The day laborers
15 across the entire city came out and rebuilt our city.
16 They weren't asked to do that. Even when their homes
17 were broken they came out. It's time and time again
18 I've seen immigrants come out and say no to
19 atrocities that they have been experiencing like the
20 [speaking Spanish]. They have come out and said we
21 need changes in the law. Most of them could not
22 vote. These are the people that will continue to
23 make our city better and they will be reflected in
24 our institutions of government as representatives
25 because of that vote, which will be a better city.

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That's why I'm saying yes, but I also want to say thank you to you all the incredible coalition that held strong over the years. New York Immigration Coalition, thank you for your leadership on this and the Black Institute, CPC, [inaudible], out of my district, so many of you that have been doing the work on the ground to do things like participatory budgeting, so that we can experiment about what happens when we bring people out of the shadows and into government to make decisions in our neighborhood. At one point, more people voted in PB than the people who voted in the Democratic Primary to elect me as the City Council. That's the energy that's waiting. And I want to associate my remarks with Brad Lander who spoke about people who are waiting right now but because of the reform that is not happening at the federal level, they wait, and they languish in the shadows, and today, we're going to bring the light and we're going to bring the love, and I want to say thank you. I vote aye.

COUNCIL CLERK: Thank you, Council Member. Council Member Miller? Council Member Miller only on Introduction 1867A.

COUNCIL CLERK: We'll come back. Moya?

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2 COUNCIL MEMBER MOYA: Permission to
3 explain my vote?

4 COUNCIL MEMBER CUMBO: Permission
5 granted.

6 COUNCIL MEMBER MOYA: Tank you Madam
7 Majority Leader. TO me, this is a very personal vote
8 that I take today. I'm the proud son of an
9 Ecuadorian immigrants. I have the distinction of
10 being the first Ecuadorian-American to ever be
11 elected to public office, not just in the state of
12 New York but in this country, and that would not have
13 been possible without the hard work and effort of my
14 parents. Voting is very important tradition in our
15 household. We always go vote as a family, and
16 there's always been one family member that's never
17 had the opportunity to vote for their son, and that's
18 my mom who's right here. And this is going to be for
19 the women who has given the opportunity to be in
20 elected office, and this one is for my Ma and for
21 about 900,000 immigrants that have truly made a
22 difference in the lives of so many here in New York.
23 I proudly vote aye. This is for my beautiful mother
24 who will get to vote for her son again. Thank you so
25 much.

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2 COUNCIL MEMBER CUMBO: Thank you Council
3 Member Moya. Hi Mom.

4 COUNCIL CLERK: Thank you. Perkins?
5 Powers?

6 COUNCIL MEMBER POWERS: I vote aye.
7 Congratulations everyone who will now be able to
8 participate in very important decisions about the
9 City's future. I vote aye.

10 COUNCIL CLERK: Thank you. Reynoso?

11 COUNCIL MEMBER REYNOSO: Pass.

12 COUNCIL CLERK: Got it. Riley?

13 COUNCIL MEMBER RILEY: Aye.

14 COUNCIL CLERK: Thank you. Rivera?
15 Rodriguez?

16 COUNCIL MEMBER RODRIGUEZ: Permission to
17 explain my vote?

18 COUNCIL MEMBER CUMBO: Permission granted.

19 COUNCIL MEMBER RODRIGUEZ: We would not
20 be here without Speaker Johnson and his team. Thank
21 you to him and to the great Chief of Staff, Jason,
22 Jim [sic], Kelly, Jeff. I want to also thank my
23 colleagues at the Council who are sponsoring today's
24 legislation, specifically Council Member Danny Dromm,
25 Council Member Margaret Chin. We are the three lead

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prime of this bill because we've been there since 2009. I was so lucky to join the Council without waiting for January to be serving. I took office immediately, and this was one of the first bills that I signed when you were the lead prime. So for me this is a train that had never stopped. This is a train that started with Council Member Barron, Council Member Perkins. They were two great African-American leaders who led this fight and we follow them. So thank you. I also wanted to thank everyone, especially all the colleagues here, especially Council Member Fernando Cabrera, the Chair of the Government Operation Committee because of his leadership and his committee, all the member of that committee. Yesterday, we pass it, and then we are here. Last thing I would like to thank the New York Immigration Coalition, United Neighborhood Houses, our city of Coalition [sic], DACA recipients, my office staff, all of them, and Lisa, Evelyn [sic], Thomas, Von Troy [sp?], those of you who worked so hard to be sure that we were able to take this bill to where we are today. All of you worked tirelessly to get us to this point. It is not secret that today inside these Chambers the New York City Council is

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making history. Many other cities across the nation as well as abroad are watching this meeting today. In one of the most diverse cities in the world, we need to ensure that there is adequate representation for all New Yorkers. That starts by expanding the scope of who is allowed to vote in our local elections. Intro 1867 will allow lawful permanent residents in New York City to vote in municipal elections. That includes immigrants who have green cards, work authorization, DACA recipients, TPS. Our City Our Vote Campaign has been about giving a voice to the voiceless. I know what it is to feel like you live in the shadows working as a dishwasher, taxi driver. I know that- I know what it's like to live with a green card and having people always look down on because of my accent. Even they still believe that I have green card and they're so proud to have green card. My story is a story of every immigrant New Yorkers. Immigrants in New York own over half of the local businesses and contribute over 190 billion dollars to the citywide GDP. During the highs of the pandemic it was our immigrant New Yorkers who kept New York City running. They did not have the luxury of working from home or escaping to the Hampton or to

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the Hudson Valley. Over half of our frontline essential workers are immigrants and approximately one in five are non-citizen New Yorkers. They have all earned the right to participate in our elections. It is estimated that nearly one million immigrant New Yorkers will be eligible to vote. That includes nearly 100,000 Muslim immigrants who will be enfranchised by this bill. Additionally, according to the Black Institute, 50 percent of non-citizens are from Jamaica, Uganda [sic], Haiti, Trinidad and Tobago alone. Furthermore, others are Nigeria, Ghana, Mali, Congo and other countries in Africa, or they're from Europe or they're from Asia, or they're from Latin America. We are on track to write a new chapter in our city history, one that will finally include a voice of all immigrants of all New Yorkers who hold green cards or work authorization, DACAs or TPS. I also think it is important that we look at municipal voting as a midpoint not as a deterrent, giving New Yorkers with green card or working permit the right to vote for the local representative will encourage them to continue their path to citizenship so that they can later vote in federal election. In a time when many states are passing over suppression

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2 law like we haven't seen since the Jim Crow era, New
3 York City-- and thank you Speaker Johnson. Because
4 of your leadership, New York City must be seen as a
5 shining example for all the progressive cities to
6 follow. My hope is that 50 years down the line when
7 our children look back and we will not be here, at
8 this moment they will see a diverse coalition of
9 fighters who came together to change New York City
10 history by giving immigrant New Yorkers the power of
11 the ballot. With that, proudly I vote aye.

12 [speaking Spanish]

13 COUNCIL CLERK: Thank you, Council
14 Member. Council Member Rose?

15 COUNCIL MEMBER ROSE: Thank you. I vote
16 aye.

17 COUNCIL CLERK: Thank you. Rivera?

18 COUNCIL MEMBER RIVERA: I vote aye.

19 COUNCIL CLERK: Thank you. Rosenthal?

20 COUNCIL MEMBER ROSENTHAL: I vote aye.

21 COUNCIL CLERK: Thank you. Salamanca?

22 COUNCIL MEMBER SALAMANCA: I vote aye.

23 COUNCIL CLERK: Thank you. Treyger?

24 COUNCIL MEMBER TREYGER: I'm going to
25 abstain for part of the reasons I mentioned earlier.

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2 COUNCIL CLERK: Thank you, Council
3 Member. Ulrich?

4 COUNCIL MEMBER ULRICH: Thank you. I vote
5 no on Introduction 1621A, 1867--

6 SPEAKER JOHNSON: [interposing] Just
7 voting on the single bill right now.

8 COUNCIL MEMBER ULRICH: I apologize.
9 Thank you. I was on a candy run and I didn't hear
10 that announcement. So I do have Reese's Pieces if
11 anybody's interested. If you have low blood sugar,
12 let me know. If you're diabetic, stay away.
13 Alright. So this is just on the-- I vote no. Okay,
14 alright. Thank you. Sorry.

15 COUNCIL CLERK: Thank you. Vallone?

16 COUNCIL MEMBER VALLONE: No.

17 COUNCIL CLERK: Van Bramer?

18 COUNCIL MEMBER VAN BRAMER: One of my
19 proudest aye votes. I am very proud to vote yes.

20 COUNCIL CLERK: Thank you. Vernikov?

21 COUNCIL MEMBER VERNIKOV: I vote no.

22 COUNCIL CLERK: Thank you. Council
23 Member Yeger?

24 SPEAKER JOHNSON: Kalman, the mic's not
25 on.

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2 COUNCIL MEMBER YEGER: Madam President,
3 may I be excused to explain my vote.

4 SPEAKER JOHNSON: Yes, sir. Go ahead.

5 COUNCIL MEMBER YEGER: Thank you. Thank
6 you, Mr. Speaker. You know, after I spoke earlier,
7 one of my colleagues mentioned to me, you know, why
8 do you have your back to the cameras when you're
9 talking, and it dawned on me as I listened to the
10 remainder and I've reflected on the last four years
11 about how frequently we speak for the cameras here.
12 Not me, I don't. I speak-- I turn around. I've made
13 it my point since we got back into these chambers
14 always to face my colleagues. I'm not talking to the
15 press. I'm not talking the viewer at home. I'm not
16 talking to the clerks. I'm sorry that I always turn
17 my back on you. I'm not talking to the President of
18 the Council. I'm talking to my colleagues here.
19 That's what we've been doing. We're a legislature.
20 We debate. And you know, as I watched a lot of the
21 performance, I haven't performed. My point when I
22 make a point is to speak to my colleagues, try to
23 convince you I'm right. Sometimes you agree with me.
24 Most of the time you don't. That's okay. And my
25 opposition to this bill is based on a simple reading

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2 of the Constitution. There's a basic tenant and
3 statutory interpretation. My Latin is not as good as
4 it used to be. I'm probably going to butcher it, but
5 it essentially [speaking Latin]. When a statute, the
6 Constitution, an ordinance, a rule, a measure says
7 something in a category of things and doesn't say the
8 other things in that category, it necessarily
9 excludes those things. The Minority Leader did far
10 more research than I did, and it's very clear that
11 the Constitution of the State of New York reserves
12 the right to vote to citizens. I didn't write the
13 Constitution. Never served on a Constitutional
14 Convention. We all, members of our party, voted
15 against-- or supported opposition to the
16 Constitutional Convention. We could have gotten up
17 there and changed it if we did, if we wanted to.
18 That's what the Constitution says. As I said at the
19 Committee a few days, if we want to change and bring
20 more people to enfranchisement with the right to
21 vote, then there's a way to do it. Albany can do it.
22 Very simple, we do not have the legal authority to do
23 this. We don't. Want it-- I wanted legal authority
24 to do a lot of things that I don't have the legal
25 authority to do, that's life. That's the oath we

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took, the oath to support the Constitution of the United States and the Constitution of the State of New York. I'm voting no on this bill, thank you very much, and I do that with respect, with respect to the colleagues with whom I've served for the last four years, with respect to Mr. Speaker, with respect to the President of the Council, and even with the respect to the sponsor of this bill. No matter what he says, I will still have respect for him. But the discourse here today I think is something that we all ought to recognize is not how a body should be. It's not what this body should be, and it's unfortunately something we've seen far too often. Thank you very much, Madam President.

COUNCIL MEMBER CUMBO: Thank you.

COUNCIL CLERK: Thank you. Brooks-Powers?

COUNCIL MEMBER BROOKS-POWERS: Permission to explain my vote?

COUNCIL MEMBER CUMBO: Permission granted.

COUNCIL MEMBER BROOKS-POWERS: So first, I want to take a moment to congratulate my colleague, Council Member Rodriguez, and the coalition of

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advocates behind this bill who worked very hard to empower our immigrant communities and give them a stronger voice in local government. As a first generation American, I recognize this bill is a major step for justice in representation for these vibrant communities. And when I say as a first generation American, I don't mean something far removed, I mean both my parents born in another country, siblings current green card holders. So this is an issue that is very near and dear to me. However, I have been working to have a concern raised by the constituents who have sent me here to the Council to represent them addressed for almost over a month, and that issue, unfortunately, was unable to be addressed in time for today's vote. And as a result of this concern which is the 30-day provision that is in the bill, I will have to unfortunately abstain my vote on this bill, that I felt very deeply about, and quite I feel robbed in this moment as well. But I am looking forward to taking up the mantle that my colleague is leaving behind to perfect and improve this bill in the next council where we can address the many concerns that were raised. It's unfortunate, but this is a-- this is where we can be able to improve

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2 the Council in terms of our process and our ability
3 to talk with one another about issues and really
4 sharpen one another around these different nuances
5 with legislation. And so that is truly a Council I'm
6 looking forward to serving in in the next Council.
7 Thank you so much.

8 COUNCIL MEMBER CUMBO: Thank you.

9 COUNCIL CLERK: Thank you. Cabán?

10 COUNCIL MEMBER CABÁN: Very proudly vote
11 aye, and thrilled that this is my first vote. Thank
12 you.

13 COUNCIL CLERK: Thank you. Cabrera?
14 Gjonaj?

15 COUNCIL MEMBER GJONAJ: Permission to
16 explain my vote?

17 COUNCIL MEMBER CUMBO: Permission
18 granted.

19 COUNCIL MEMBER GJONAJ: Thank you,
20 Majority Leader. To my brother Ydanis, your hard
21 work has proven that success comes with hard work.
22 I'm grateful that you know this was not personal in
23 any way. And for the colleagues that do know me,
24 thank you for the message that you are not a racist.
25 This was an honest conversation and a debate. And

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I'm grateful to have been able to be a part of it without fear of being labeled or for fear of being cancelled out, because that's not what government is and that's not the roles that we have and responsibilities that we have to our constituents and the positions and the office that we hold. I'm hopeful that this bill will become a better bill with the new Council, that you'll have the time to discuss and make a piece of legislation that will assure and protect New York City. This bill in its current form for 30 days of anyone visiting this country being able to vote is a threat to our sovereignty. And with that, I regret that I have to vote no on this bill. I would have loved to have voted yes moving forward. I'd sharpen this to be the best bill that it could be, because that's what New Yorkers deserve. That's what immigrants deserve, and that's what this City warrants from us. I vote no. Thank you.

COUNCIL CLERK: Thank you. Koo?

COUNCIL MEMBER KOO: I vote yes.

COUNCIL CLERK: Thank you. Miller?

COUNCIL MEMBER MILLER: I vote yes.

COUNCIL CLERK: Thank you. Reynoso?

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2 COUNCIL MEMBER REYNOSO: Permission to
3 explain my vote?

4 COUNCIL MEMBER CUMBO: Permission
5 granted.

6 COUNCIL MEMBER REYNOSO: I just want to
7 congratulate Council Member Ydanis Rodriguez and
8 Danny Dromm that the great work that they did on
9 pushing this bill, and for our Speaker Corey Johnson.
10 It's not an easy thing to do, and many of times in
11 our Council and four years in his speakership, we've
12 taken on tough votes. He never did it because it was
13 easy. He always thought-- he always did it because
14 it ws right. So, I just want to thank you, Corey,
15 for putting this together. And to all of the
16 immigrants that have come to this country to
17 contribute, you finally are going to get an
18 opportunity to choose who represents you, and I
19 couldn't be prouder today to vote. Aye on this bill.

20 COUNCIL CLERK: Thank you. Borelli?

21 COUNCIL MEMBER BORELLI: Thank you. I
22 vote no.

23 COUNCIL CLERK: Cumbo?

24 COUNCIL MEMBER CUMBO: This is perhaps
25 the hardest vote that I've taken since I've been in

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the Council, and I just want to-- I just want to address, because we're not addressing members by name, it was mentioned here that many of the communities that will benefit are many of our African immigrants from the Congo, from Mali, from Nigeria, but according to the research that I saw at the Black Institute, the African community is negligible in terms of the level-- this is not going to amplify their voices in a meaningful way in the City of New York. According to the Black Institute data that was also given to me, the top three ethnic groups that will benefit from this is the Dominican Republic, China, as well as Mexico. Those are the three groups that are going to benefit the most from this in a very substantial way. The other groups that my colleague mentioned are not even in the top 10, and my concern again, is how the African-American community will fair in a situation where our numbers are not amplified in any meaningful way. So I continue to be concerned about that. At Dem Conference I also mentioned, just honestly speaking, you know, this is a conversation that the black and Latino community has to have. It has not happened, because it's not politically correct, but it's a

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conversation that needs to happen. I continue to remain concerned. As I read in Dem Conference about during the presidential election how many of our Latino brothers and sisters voted Republican for President Trump. That concerns me of activating this particular bill because of that reason. I understand that's not politically correct. I understand that people are going to have challenges with it. I need my Latino brothers and sisters to know that they are African brothers and sisters. You are African and we need to move forward collectively as African people and to stop the divisions. We are not black and brown. We are multiple shades of black. And I'm just going to conclude with that, and I'm going to say on this bill I vote no. I encourage the next Council to vote on a bill that's better, that is more constructive, that brings all the different multiple perspectives into play, that answers key questions on how it's going to impact the City of New York, and how it empowers all communities moving forward. Thank you so much. I turn it over back to Speaker Johnson.

COUNCIL CLERK: Speaker Johnson?

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2 SPEAKER JOHNSON: I proudly vote aye on
3 this bill. Congratulations to Council Member
4 Rodriquez and to all the advocates. Today is a
5 historic day for New York City and for the United
6 States of America. Congratulations, Ydanis.

7 [applause]

8 COUNCIL MEMBER CUMBO: By a vote of 33 in
9 the affirmative, 14 in the negative, and 2
10 abstentions. Intro 1867A is hereby adopted.
11 Congratulations, Council Member Rodriguez.

12 [applause]

13 SPEAKER JOHNSON: We still have a whole
14 lot of voting to do, so let's try to get through it.

15 COUNCIL MEMBER CUMBO: Only--

16 SPEAKER JOHNSON: [interposing] Yeah, we
17 have a quorum.

18 COUNCIL MEMBER CUMBO: We are now back
19 into the discussion of General Orders. Moving onto--

20 SPEAKER JOHNSON: [interposing] Are people
21 signed up for it?

22 COUNCIL MEMBER CUMBO: Yes, it is.

23 SPEAKER JOHNSON: Oh, people should maybe
24 think about waving their time and speaking during
25 their allotted voting window.

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2 COUNCIL MEMBER CUMBO: Okay. I will call
3 on each member and-- these are on the bills that we
4 are about to vote on.

5 SPEAKER JOHNSON: And they could also
6 take time to speak when they vote instead of speaking
7 now.

8 COUNCIL MEMBER CUMBO: And Speaker Corey
9 Johnson has recommended that you speak when your bill
10 is put forward for a vote when it is your turn to
11 vote. So, I will-- out of fairness, I will call on a
12 member. You can decide to speak or say I will
13 reserve my time for my vote. We will begin with
14 Council Member Treyger followed by Holden, Menchaca,
15 Feliz, and Barron.

16 SPEAKER JOHNSON: Council Member Treyger?

17 COUNCIL MEMBER TREYGER: Majority Leader,
18 I will pass.

19 COUNCIL MEMBER CUMBO: Thank you, Council
20 Member Treyger. Council Member Holden?

21 COUNCIL MEMBER HOLDEN: [inaudible]

22 COUNCIL MEMBER CUMBO: Good idea.
23 Council Member Menchaca?

24 COUNCIL MEMBER MENCHACA: [inaudible]

25

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2 COUNCIL MEMBER CUMBO: Wow, alright.

3 Council Member Feliz?

4 COUNCIL MEMBER FELIZ: I'll deliver my
5 remarks on voting. Thank you.

6 COUNCIL MEMBER CUMBO: Thank you. And
7 Council Member Barron?

8 COUNCIL MEMBER BARRON: You almost made
9 it through, but I promise it won't be two minutes.

10 [applause]

11 COUNCIL MEMBER BARRON: I just want to
12 speak to my colleagues very briefly about Intro Nine.
13 All of you know that my background is education.
14 It's interesting to share a brief story since we're
15 telling stories and sharing memories. When I was
16 appointed as a principal at PS81, my mother and I
17 went to the school to bless the school, and her
18 blessing was that I would have it easy, but my prayer
19 was that Lord, don't let anything significant or
20 major happen to any of my children while I'm here.
21 Their safety was of utmost concern to me, and it's in
22 that vein that I'm introducing Intro Nine, yes, one,
23 two, three, four, five, six, seven, eight, nine,
24 which says that by September 30th, the Department of
25 Transportation will identify each intersection

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immediately adjacent to a school that does not have a traffic control device such as a stop sign or traffic control, and that by no later than September 30th, 2024, the DOT would have installed a traffic control device at each such intersection. And I just want to thank-- it was originally introduced as an Intro-- I mean, as a Reso, but we fought and the legal team helped to design it so that it could be a Local Law. and I just want to thank Corey Johnson, Jason Goldman, Ydanis Rodriguez, Director Jeff Baker, Tereza Nassa [sp?], Brad Lee [sp?], Elliott Lynn, Jessica Albin [sp?], Rick Arbello [sp?], Kevin Koslowtiz, and my staff, Chief of Staff Amawali Clay [sp?], and my Legislative Director and CUNY Liaison Indigo Washington, and I just want to say that Ms. Washington will be leaving. Tomorrow is her last day, and I'll have more comments on that at a later portion of the meeting. Thank you.

COUNCIL MEMBER CUMBO: Thank you, Council Member Barron. We will now move into the discussion of General Orders.

SPEAKER JOHNSON: We just did.

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2 COUNCIL MEMBER CUMBO: Excuse me, I'm
3 sorry. We'll now move into report of special
4 committees.

5 COUNCIL CLERK: None.

6 SPEAKER JOHNSON: Before we get there, I
7 want to just-- before I forget, I want to wish our
8 colleague, Council Member-- I feel bad she's had to
9 endure this on her birthday, Council Member Adrienne
10 Adams, happy birthday. Very happy birthday to you.

11 [applause]

12 COUNCIL MEMBER CUMBO: What a way to
13 spend your birthday.

14 SPEAKER JOHNSON: She wants to hear about
15 the reports of standing committees.

16 COUNCIL CLERK: Report of the Committee
17 on Civil Service and Labor, Preconsidered Intro 2454
18 collective bargaining.

19 SPEAKER JOHNSON: Coupled on General
20 Orders.

21 COUNCIL CLERK: Report of the Committee
22 on Consumer Affairs and Business Licensing, Intro
23 2130A, student loan forgiveness.

24 SPEAKER JOHNSON: Amended and coupled on
25 General Orders.

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2 COUNCIL CLERK: Report of the Committee
3 on Contracts, Intro 1624A minority and women-owned
4 business enterprises.

5 SPEAKER JOHNSON: Amended and coupled on
6 General Orders.

7 COUNCIL CLERK: Report of the Committee
8 on Environmental Protection, Intro 51A, geothermal
9 exchange systems.

10 SPEAKER JOHNSON: Amended and coupled on
11 General Orders.

12 COUNCIL CLERK: Intro 2425A Borough-- DEP
13 Borough Commissioners.

14 SPEAKER JOHNSON: Amended and coupled on
15 General Orders.

16 COUNCIL CLERK: Intro 2460A Environmental
17 remediation.

18 SPEAKER JOHNSON: Amended and coupled on
19 General Orders.

20 COMMITTEE CLERK: Report of the Committee
21 on Finance, Intro 1520A Parking Violations Bureau.

22 SPEAKER JOHNSON: Amended and coupled on
23 General Orders.

24 COUNCIL CLERK: Into 2458 Business
25 Improvement District.

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2 SPEAKER JOHNSON: Coupled on General
3 Orders.

4 COUNCIL CLERK: Preconsidered Reso 1839,
5 transparency resolution.

6 SPEAKER JOHNSON: Coupled on General
7 Orders.

8 COUNCIL CLERK: Preconsidered LU 939 and
9 Reso 1841 through Preconsidered LU 943 and Reso 1845
10 tax exemption.

11 SPEAKER JOHNSON: Coupled on General
12 Orders.

13 COUNCIL CLERK: Report of the Committee
14 on Fire and Emergency Management, Intro 1949A,
15 emergency plans.

16 SPEAKER JOHNSON: Amended and coupled on
17 General Orders.

18 COUNCIL CLERK: Report of the Committee
19 on General Welfare, Intro 147A and 2176A supportive
20 housing.

21 SPEAKER JOHNSON: Amended and coupled on
22 General Orders.

23 COUNCIL CLERK: Report of the Committee
24 on Governmental Operations, Intro 1621A Nuclear
25 Disarmament Advisory Committee.

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2 SPEAKER JOHNSON: Amended and coupled on
3 General Orders.

4 COUNCIL CLERK: Intro 2459A, Office of
5 Information Privacy.

6 SPEAKER JOHNSON: Amended and coupled on
7 General Orders.

8 COUNCIL CLERK: Report of the Committee
9 on Health, Intro 1625B non-surgical contraception.

10 SPEAKER JOHNSON: Amended and coupled on
11 General Orders.

12 COUNCIL CLERK: Report of the Committee
13 on Housing and Buildings, Intro 2309A, short term
14 rentals.

15 SPEAKER JOHNSON: Amended and coupled on
16 General Orders.

17 COUNCIL CLERK: Report of the Committee
18 on Land Use, Intro 2443A, joint living working
19 quarters for artists.

20 SPEAKER JOHNSON: Approved and laid over.

21 COUNCIL CLERK: LU 899 through 904, 175
22 Park Avenue, and LU 906 and 907, 250 Water Street.

23 SPEAKER JOHNSON: Approved with
24 modifications and referred to the City Planning
25

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2 Commission pursuant to Section 197D of the New York
3 City Charter.

4 COUNCIL CLERK: LUs 914 and 915, special
5 Brooklyn Navy Yard District, and LUs 918 and 919,
6 SoHo, NoHo Neighborhood Plan.

7 SPEAKER JOHNSON: Approved with
8 modification and referred to City Planning Commission
9 pursuant to Section 197D of the New York City
10 Charter.

11 COUNCIL CLERK: LU 922 Bed-Stuy East and
12 Weeksville [sic] Mosaic.

13 SPEAKER JOHNSON: Coupled on General
14 Orders.

15 COUNCIL CLERK: LU 923, health and fitness
16 citywide text amendment.

17 SPEAKER JOHNSON: Coupled on General
18 Orders.

19 COUNCIL CLERK: LU 924, fresh two zoning
20 text amendment, LUs 925 and 926, 10316 Vanwick [sp?]
21 Expressway rezoning, and LUs 929 and 930 River Ring
22 [sp?].

23 SPEAKER JOHNSON: Approved with
24 modifications and referred to the City Planning
25

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2 Commission pursuant to Section 197D of the New York
3 City Charter.

4 COUNCIL CLERK: LU 931 and Reso 1848,
5 Stapleton Beacon article.

6 SPEAKER JOHNSON: Coupled on General
7 Orders.

8 COUNCIL CLERK: LU 932 through 936 River
9 Ring.

10 SPEAKER JOHNSON: Approved with
11 modifications and referred to the City Planning
12 Commission pursuant to section 197D of the New York
13 City Charter.

14 COUNCIL CLERK: LU 937 and Reso 1849B, 79
15 Self Storage rezoning.

16 SPEAKER JOHNSON: Coupled on General
17 Orders.

18 COUNCIL CLERK: LU 938, 16005 Arch
19 Avenue.

20 SPEAKER JOHNSON: Approved with
21 modifications and referred to the City Planning
22 Commission pursuant to Section 197D of the New York
23 City Charter.

24 COUNCIL CLERK: Preconsidered LU 944 and
25 Reso 1850, New York City Law Department office space.

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2 SPEAKER JOHNSON: Coupled to be filed
3 pursuant to letter of withdrawal.

4 COUNCIL CLERK: Preconsidered LU 945 and
5 Reso 1851 through Preconsidered LU 948 and Reso 1854,
6 school facilities.

7 SPEAKER JOHNSON: Coupled on General
8 Orders.

9 COUNCIL CLERK: Preconsidered LU 949 and
10 Reso 1855, Coney Island Amusement Park.

11 SPEAKER JOHNSON: Approved and laid over.

12 COUNCIL CLERK: Preconsidered LUs 950 and
13 951, 79 Quay [sp?] Street.

14 SPEAKER JOHNSON: Approved with
15 modifications and referred to the City Planning
16 Commission pursuant to Section 197D of the New York
17 City Charter.

18 COUNCIL CLERK: Preconsidered LU 952 and
19 Reso 1856 and Preconsidered LU 953 and Reso 1857,
20 31st Street and Haight [sp?] Avenue rezoning.

21 SPEAKER JOHNSON: Coupled on General
22 Orders.

23 COUNCIL CLERK: Preconsidered LU 954 and
24 Reso 1858 and Preconsidered LU 955 and Reso 1859,
25 4520 83rd Street.

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2 SPEAKER JOHNSON: Coupled on General

3 Orders.

4 COUNCIL CLERK: Preconsidered LU 956 and

5 Reso 1860 and LU 957 and Reso 1861, One White [sic]

6 Avenue.

7 SPEAKER JOHNSON: Coupled on General

8 Orders.

9 COUNCIL CLERK: Report of the Committee

10 on Mental Health, Disabilities and Addiction, Intro

11 2141A removing outdated clinic language.

12 SPEAKER JOHNSON: Amended and coupled on

13 General Orders.

14 COUNCIL CLERK: Intro 2442A Office of

15 Community Mental Health.

16 SPEAKER JOHNSON: Amended and coupled on

17 General Orders.

18 COUNCIL CLERK: Report of the Committee on

19 Parks and Recreation, Intro 2366A, tree inspections.

20 SPEAKER JOHNSON: Amended and coupled on

21 General Orders.

22 COUNCIL CLERK: Report of the Committee

23 on Public Safety, Intro 2297A, Police Department

24 qualifications.

25

1 NEW YORK CITY COUNCIL STATED MEETING 144

2 SPEAKER JOHNSON: Amended and coupled on
3 General Orders.

4 COUNCIL CLERK: Intro 2440A Civilian
5 Complaint Review Board.

6 SPEAKER JOHNSON: Amended and coupled on
7 General Orders.

8 COUNCIL CLERK: Report of the Committee
9 on Rules, Privileges, and Elections M346 and Reso
10 1862, approving the appointment of Leah Goodrich,
11 Planning Commission.

12 SPEAKER JOHNSON: Coupled on General
13 Orders.

14 COUNCIL CLERK: M347 Reso 1863 approving
15 the appointment of Joseph Twig [sp?], Planning
16 Commission.

17 SPEAKER JOHNSON: Coupled on General
18 Orders.

19 COUNCIL CLERK: Report of the Committee
20 on Transportation, Intro 9A, traffic control devices
21 near schools.

22 SPEAKER JOHNSON: Amended and coupled on
23 General Orders.

24 COUNCIL CLERK: Intro. 1724A, passing
25 stopped school buses.

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2 SPEAKER JOHNSON: Amended and coupled on
3 General Orders with a message of necessity.

4 COUNCIL CLERK: Intro 2201A use of
5 photographic evidence by motorcyclists.

6 SPEAKER JOHNSON: Amended and coupled on
7 General Orders.

8 COUNCIL CLERK: Intro 2417A, prohibiting
9 the obscuring of licenses plates.

10 SPEAKER JOHNSON: Amended and coupled on
11 General Orders.

12 COUNCIL CLERK: Report of the Committee
13 on Veterans, Intro 479A and 2354B, City veteran
14 benefits and Veterans Advisory Board.

15 SPEAKER JOHNSON: Amended and coupled on
16 General Orders.

17 COUNCIL CLERK: Report of the Committee
18 on Women and Gender Equity, Intro 1085B Civil Legal
19 Services for domestic violence survivors.

20 SPEAKER JOHNSON: Amended and coupled on
21 General Orders.

22 COUNCIL CLERK: Intro 2372B, Gender
23 Motivated Violence Act.

24 SPEAKER JOHNSON: Amended and coupled on
25 General Orders.

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2 COUNCIL CLERK: General Orders Calendar

3 LU 911 and Reso 1864, citywide hotels text amendment.

4 SPEAKER JOHNSON: Coupled on General

5 Orders.

6 COUNCIL CLERK: General Orders Calendar

7 LU 916 and Reso 1865 and LU 917 and Reso 1866, 506

8 Third Avenue.

9 SPEAKER JOHNSON: Coupled on General

10 Orders.

11 COUNCIL CLERK: General Orders Calendar

12 LU 920 and Reso 1867 and LU 921 and Reso 1868,

13 Starrett-LeHigh terminal warehouse rezoning.

14 SPEAKER JOHNSON: Coupled on General

15 Orders.

16 COUNCIL CLERK: Resolution appointing

17 various persons Commissioner of Deeds.

18 SPEAKER JOHNSON: Coupled on General

19 Orders. And at this time, I am asking for the Clerk

20 to take a roll call vote on all of the items coupled

21 on today's General Order Calendar. Let's get this

22 done.

23 COUNCIL CLERK: Gibson?

24

25

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2 COUNCIL MEMBER GIBSON: Mr. Speaker,
3 thank you Madam Majority Leader. I proudly eye on
4 all of today's agenda items. Thank you so much.

5 SPEAKER JOHNSON: Thanks Vanessa.

6 COUNCIL CLERK: Thank you. Adams?

7 COUNCIL MEMBER ADAMS: [inaudible]

8 COUNCIL MEMBER CUMBO: Permission
9 granted. Because it's your birthday.

10 COUNCIL MEMBER ADAMS: [inaudible] Thank
11 you, Madam Majority Leader. Today, one of the many
12 important bills we're voting on is Introduction 2440,
13 my bill to empower the Civilian Complaint Review
14 Board to initiate its own complaints and
15 investigations for allegations of police officer
16 misconduct. Currently, the CCRB only has the
17 authority to conduct an investigation in response to
18 complaints filed by a member of the public. This
19 longstanding policy, however, unfairly places the
20 burden on the victims of officer wrong-doing and can
21 lead to long delays for these investigations.
22 Members of the public often do not file complaints to
23 the CCRB for a variety of reasons, including fear of
24 retaliation or just not knowing where to begin.
25 Introduction 2440 will change this by allowing the

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agency to be proactive and not have to wait before they take action. As the nation's largest civilian oversight agency, the CCRB has the important responsibility of looking into and issuing findings for bad behavior, including excessive use of force, abuse of authority, bias-based policing, and racial profiling. Enhancing their authority will lead to greater accountability when it comes to public safety. As a council we have passed many great reforms on policing this past year, and this is the latest reform that will make a difference for all New Yorkers. I urge all of my colleagues to support this long over-due, but common sense, legislation. Thank you, Speaker Johnson, for your leadership and Chief Of Staff Jason Goldman. Special thanks to Committee Counsel Josh Kingsley and Matthew Thompson [sp?] for your work, and lastly, my Chief of Staff and my Legislative Director Jamal Wilkerson [sp?] and Benjamin Fang [sp?]. Thank you very much, Madam Majority Leader.

COUNCIL CLERK: Council Member?

COUNCIL MEMBER ADAMS: I vote aye on all.

COUNCIL CLERK: Thank you. Ampry-Samuel?

COUNCIL MEMBER AMPRY-SAMUEL: Aye on all.

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2 COUNCIL CLERK: Ampy-Samuel votes aye on
3 all. Thank you. Ayala?

4 COUNCIL MEMBER AYALA: Aye on all.

5 COUNCIL CLERK: Council Member Ayala
6 votes aye on all. Barron?

7 COUNCIL MEMBER BARRON: Permission to
8 explain my vote?

9 COUNCIL MEMBER CUMBO: Permission
10 granted.

11 COUNCIL MEMBER BARRON: Thank you. As I
12 started saying, my Legislative Director and CUNY
13 Liaison, Indigo Washington will be leaving. Tomorrow
14 is her last day. She did start with my husband,
15 Charles Barron, in 2009 and has been instrumental in
16 supporting our legislation, our committee hearings,
17 Women's Caucus, and the BLAC and CUNY agenda. And
18 most people will know that she's been quite
19 instrumental in organizing and pushing for the union
20 effort for staffing. She will be working with the
21 incoming Senator Cordell Clear [sp?] in Harlem where
22 she resides, and I just wanted to wish her the best
23 as she goes through her new path. She's been very
24 helpful all of this time, and we're going to miss
25 her.

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2 [applause]

3 COUNCIL MEMBER BARRON: Regarding my
4 vote. I vote aye on all with the exception of 918,
5 919, which I'm voting no, and I abstain on 906, 907,
6 908, 909, 929, 930. And I vote no on 2440, which was
7 just referenced. The reason I vote no on that is
8 because it in fact violates our policy of first in
9 time. This portion of the bill is a part of the
10 Community Power Act which says, "police oversight
11 with elected review," and this portion of that
12 elected review board calls for exactly this. I stated
13 previously my objection to the violation of policy
14 this body regarding first in time, and if in fact, my
15 bill as a part of the ECR bill was reported first, it
16 should have had a standing, it should have had a
17 vote, and that did not happen, and I object
18 vehemently to that. I think that extracting pieces
19 of the ECR bill is designed to eviscerate the bill,
20 water the bills down, and take away the meat and the
21 substance of the bill, and for that reason I'm voting
22 no, and I encourage my colleagues who understand what
23 process is and how important it is--

24 COUNCIL MEMBER CUMBO: [interposing] Thank
25 you.

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2 COUNCIL MEMBER BARRON: to vote no on
3 2440. Thank you.

4 COUNCIL MEMBER CUMBO: Thank you, Council
5 Member Barron.

6 COUNCIL CLERK: Brannan?

7 COUNCIL MEMBER BRANNAN: Aye on all.

8 COUNCIL CLERK: Thank you. Brooks-
9 Powers?

10 COUNCIL MEMBER BROOKS-POWERS: I vote aye
11 on all.

12 COUNCIL CLERK: Thank you. Cabán?

13 COUNCIL MEMBER CABÁN: [inaudible]

14 COUNCIL MEMBER CUMBO: Permission
15 granted. Please come forward.

16 COUNCIL MEMBER CABÁN: Thank you,
17 Majority Leader. I'm honored to be here at my first
18 Stated Meeting.

19 COUNCIL CLERK: One moment.

20 COUNCIL MEMBER CABÁN: Better? Great.

21 Thank you, Majority Leader. Honored to be here at my
22 first Stated Meeting and grateful for all of the help
23 the Speaker, Jason, and staff have provided to make
24 this transition as seamless as possible. Thrilled to
25 not only have had an opportunity to vote for the

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landmark Our City Our Vote bill, but the other great bills on the agenda today. Congratulations to my new colleagues on their work to make our streets safer, expand access to contraception, and create a Supportive Housing Tenant's Bill of Rights. We're also voting today on a Land Use project in my district. My predecessor worked on the project for years, a project that will bring affordable housing and significant community space to a transit-rich part of the district. And while I came in in the ninth inning of this project, in these final few days we were able to get a commitment from the applicant to fund a quarter of a million dollars of improvements to the playground across the street. Going forward, I'm excited to work on Land Use projects that further the vision of housing as a human right, and universal public good, not a vehicle for the profits of developers and landlords. That's how we affirm the dignity and wellbeing of working class New Yorkers and cultivate the strong community bonds that are the cornerstone of true public safety. So I vote aye on all with the exception of Intro 1724A, in which I vote no. Thanks.

COUNCIL MEMBER CUMBO: Thank you.

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2 COUNCIL CLERK: Thank you. Cabrera?

3 Carr?

4 COUNCIL MEMBER CARR: I'm going to be
5 voting no on Introduction 1621A, 2309A, 2440A, and
6 M346 with accompanying Resolution 1862, and then aye
7 on the rest.

8 COUNCIL CLERK: Thank you. Chin?

9 COUNCIL MEMBER CHIN: I vote aye on all.

10 COUNCIL CLERK: Council Member Chin votes
11 aye on all. Cornegy?

12 COUNCIL MEMBER CORNEGY: I vote aye.

13 COUNCIL CLERK: Thank you. Darma Diaz?

14 COUNCIL MEMBER DIAZ: Aye on all.

15 COUNCIL CLERK: Thank you. Ruben Diaz,
16 Senior? Dinowitz?

17 COUNCIL MEMBER DINOWITZ: Permission to
18 explain my vote?

19 COUNCIL MEMBER CUMBO: Permission
20 granted.

21 COUNCIL MEMBER DINOWITZ: I just want to
22 take a quick moment. One of the bills we're voting
23 on today is a charter revision on which I'm prime
24 sponsor. I want take a moment to thank Bianca Vitale
25 and Elizabeth Arzt, as well as Jenna Klous [sp?] and

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2 Mike Corbit [sp?] for their work on this legislation
3 which will expand the Veterans Advisory Board to
4 include family members of veterans and to, you know,
5 clarify that we support all veterans here in New York
6 City regardless of their discharge status. And with
7 that, I vote aye on-- I vote aye on all.

8 COUNCIL CLERK: Thank you. Dromm?

9 COUNCIL MEMBER DROMM: Would like to
10 thank all of the advocates who are across the street
11 right now watching the live stream of this who really
12 came out in support of nuclear disarmament. I thank
13 you for all that you've done. And with that, I'd
14 like to say that I vote yes on all. Thank you.

15 COUNCIL CLERK: Thank you. Eugene?
16 Riley?

17 COUNCIL MEMBER RILEY: Aye on all.

18 COUNCIL CLERK: Thank you. Feliz?

19 COUNCIL MEMBER FELIZ: Permission to
20 explain my vote?

21 COUNCIL MEMBER CUMBO: Permission
22 granted.

23 COUNCIL MEMBER FELIZ: Thank you. Today
24 I have the honor and the privilege of introducing my
25 first bill ever, Intro 2459A which establishes the

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Office of Information Privacy, an office that will implement and oversee privacy protection policies in the City of New York. The great people of our city provide sensitive information to our government agencies every single day and in so many different ways. They do it when applying to our public schools, when they are obtaining healthcare services, and also even when they are seeking legal services. They provide their most private information. And also, many of the agencies even share information to be able to quickly and effectively provide services. By creating the Office of Information Privacy, we will help make sure that sensitive information provided to our agencies is truly kept private. It'll also help ensure that people can continue to see government services with trust, trust that their private information will be kept private. For those reasons, I proudly vote yes on my bill Intro 2459A, and I encourage everybody else to vote yes as well. And I also vote yes on the rest of the bills. Thank you.

COUNCIL MEMBER CUMBO: Thank you and congratulations.

COUNCIL MEMBER FELIZ: Thank you.

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2 COUNCIL CLERK: Thank you. Gennaro?

3 COUNCIL MEMBER GENNARO: Aye.

4 COUNCIL CLERK: Thank you. Gjonaj?

5 COUNCIL MEMBER GJONAJ: Aye on all.

6 COUNCIL CLERK: Thank you. Grodenchik?

7 COUNCIL MEMBER GRODENCHIK: Not bad for
8 an old guy. Aye on all.

9 COUNCIL CLERK: Thank you, sir. Holden?

10 COUNCIL MEMBER HOLDEN: Permission to
11 explain?

12 COUNCIL MEMBER CUMBO: Permission
13 granted.

14 COUNCIL MEMBER HOLDEN: So I vote aye on
15 all with the exception of Intro 2440, Intro 1763,
16 Intro 2265, and Reso 976. No also on LU 918 and LU
17 919. I'd just like to make a few comments on my
18 Intro 2417, which is really prohibiting the
19 obstructing of the license plates, now a common
20 practice for career criminals who routinely use
21 products that distort or hide license plates from
22 cameras and law enforcement agencies. Many of these
23 products can be purchased from well-known online
24 realtors-- retailers, I'm sorry. The bill will
25 prohibit the sale or distribution of any materials or

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substance with purposes to conceal or obscure the license plate numbers and so forth. We're seeing a lot of that. The way this happened, I was driving in my neighborhood and right in front of us was a car, a SUV, that went into the other lane speeding, and was attempting to go through the traffic light, and he had a curtain that came down like James Bond over the license plate. And by the way, they get that on Amazon. I've already spoken to Amazon. They are going to discontinue the sale before this becomes law, but I just want to urge all my colleagues to vote Intro 2417 which would make this illegal to sell, these contraptions, in the City of New York. I want to thank, by the way, Speaker Corey Johnson and many of the cosponsors on this bill. We had 29, I believe, 29 cosponsors of all, you know, both sides of the aisle. I also want to thank Jason Goldman, obviously, the Chief of Staff, Legislative Director Jeff Baker, Transportation Committee Chair Rodriguez, my Chief of Staff Daniel Carzina [sp?], and my Legislative Director Craig Carawana [sp?]. Thank you so much.

COUNCIL CLERK: Kallos?

COUNCIL MEMBER KALLOS: Aye on all.

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2 COUNCIL CLERK: Council Member Kallos
3 votes aye on all. Council Member Koo?

4 COUNCIL MEMBER KOO: I vote aye on all.

5 COUNCIL CLERK: Thank you. Koslowitz?

6 COUNCIL MEMBER KOSLOWITZ: Aye on all.

7 COUNCIL CLERK: Thank you. Lander?

8 COUNCIL MEMBER LANDER: Request
9 permission to explain my vote?

10 COUNCIL MEMBER CUMBO: Permission
11 granted. Where'd you go?

12 COUNCIL MEMBER LANDER: Thank you. I want
13 to congratulate and welcome Council Member Vernikov,
14 Carr, and Cabán. Our city will be better [inaudible]
15 service. Congratulations to the [inaudible] debate
16 and disagreement is good in a democratic body. I'm
17 going to vote no on Intro 1724A. While motorists
18 should never pass a school bus, mercifully, this
19 behavior has not been linked to serious injuries or
20 fatalities in New York City, and I'm concerned about
21 the potential of this bill to open up the possibility
22 of the privatization of enforcement, and the
23 expansion of fees and fines for revenue purposes. In
24 Suffolk County where this bill was implemented, 45
25 percent of the fee revenue collected went to the

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2 vendor. I care a lot about and believe we should
3 engage in automated enforcement, but I think we have
4 to be really judicious in how we do it. I'm also
5 very enthusiastic about the nuclear disarmament
6 bills. Congratulations Danny Dromm. I pledge as New
7 York City Comptroller to work with this community and
8 explore the divestment of the New York City pension
9 funds from the sale and development of nuclear
10 weapons. I vote aye on the rest.

11 COUNCIL CLERK: My apologies, Council
12 Member Lander, could you repeat that. My apologies.

13 COUNCIL MEMBER LANDER: No on 1724, aye
14 on the rest.

15 COUNCIL CLERK: Thank you, sir.

16 COUNCIL MEMBER LANDER: Thank you.

17 COUNCIL CLERK: Levin?

18 COUNCIL MEMBER LEVIN: Permission to
19 explain, Madam Majority Leader?

20 COUNCIL MEMBER CUMBO: Permission
21 granted.

22 COUNCIL MEMBER LEVIN: Thank you very
23 much. Today, the Council's voting on two bills that
24 I'm proud to sponsor, Intro 147A which requires the
25 Department of Social Services to produce an annual

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report of supportive housing placements, Proposed Intro 2176A which requires that a bill of rights be distributed to supportive housing tenants. Our city is facing a homelessness crisis and supportive housing is considered the most successful existing model for ending chronic homelessness among vulnerable populations. It is a lynchpin in the fight for successful housing. Residents have a place to call home and an environment that provides direct case management and access to mental health providers. This integrated service model enables people to connect to the programs that are right for them and access care that they deserve. Simply put, supportive housing is housing for those most in need. Because it is so important, it is our responsibility to make sure that we are upholding the highest standards for residents who are vulnerable and maintaining adequate accountability. Some advocates have argued that the easiest to serve clients are accepted in supportive housing, and we need to be targeting our approach to house those most in need of care. Intro 147A will require DSS to produce an annual report on the number of individuals eligible for, referred to, accepted, and rejected for

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supportive housing placement and the reason the client has been rejected for placement. This data will help us to figure out together if there are any hiccups in the system or communities who are being underserved and opportunities for improvement. In addition, 2176A would require DSS to provide a notice to supportive housing residents of their rights pursuant to various state and local laws. This bill would help improve transparency and ensure supportive housing tenants know their rights. I'm a strong supporter of supportive housing. It's a proven valuable resource in addressing street homelessness. These bills will help ensure that supportive housing programs are successful and reach the target populations so that those most in need are supported are well served. I just want to thank Speaker Corey Johnson, Chief of Staff Jason Goldman, my staff, committee staff, and all the advocates that worked on this legislation. Thank you very much. I vote aye on all.

COUNCIL MEMBER CUMBO: Thank you.

COUNCIL CLERK: Levine?

COUNCIL MEMBER LEVINE: I vote aye on all.

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2 COUNCIL CLERK: Thank you. Louis?

3 COUNCIL MEMBER LOUIS: I vote aye on all.

4 COUNCIL CLERK: Thank you. Maisel?

5 COUNCIL MEMBER MAISEL: Yes on all,
6 accept no on 1621.

7 COUNCIL CLERK: Thank you. Menchaca?

8 COUNCIL MEMBER MENCHACA: Permission to
9 explain my vote?

10 COUNCIL MEMBER CUMBO: Permission
11 granted.

12 COUNCIL MEMBER MENCHACA: I want to bring
13 in some remarks that I was going to make during
14 general discussions. One, I think not only I'm so
15 happy that we passed the bill. there's going to be
16 future discussions, and I won't be here as a Council
17 Member to be part of those future discussions, but as
18 I listened to today's debate about the amendment
19 time-- or another amendment that may come to the
20 floor around 30 days, I just want to say this: I
21 think-- it feels wrong to segregate a population that
22 are New Yorkers and giving them a different timeline
23 to get access to the same right. Separate but not
24 equal is real, and we've discussed that as a country.
25 And so I hope that echoes in this chamber after I

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1 leave. I also want to say thank you to Speaker
2 Johnson and Jason. They did a lot to lift for the
3 bill that we just passed, Our City Our Vote, and I
4 didn't say thank you to them, and I just want to say
5 thank you. Next, I don't want to-- I want to speak
6 on a budget item. Key to the City has been something
7 that has been so strong in commitment from this
8 Council, but it was defunded during our budget
9 crisis. There was a lot of opposition in the BNT
10 about this, and I'm so happy that today we're going
11 to be restoring Key to the City to the New York
12 Immigration Coalition at 700,000 dollars, and we
13 heard your concerns. We have reshaped the program
14 and it fits so well and how we are thinking about Our
15 City Our Vote, because this is going to support new
16 immigrants, newly arrived immigrants, refugees, and
17 indigenous speaking communities to overcome the
18 language and cultural barriers so that they get
19 access to education, public health benefits, and
20 seeking mental health services. Legal services will
21 also be part of how they connect to the City of New
22 York. When we're talking about the new immigrants
23 we've just enfranchised, those who are legally
24 permanent residents, this is a part of what the
25

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2 Council has done and is committed to. And I want to
3 say thank you to Moya and Salamanca who had a lot of
4 concerns, and I'm so thankful that they are
5 supportive of this. I am voting no on Land Use item
6 918 and 919. This is the SoHo/NoHo rezoning plan
7 that the mayor has pushed. Thank you.

8 COUNCIL MEMBER CUMBO: Thank you.

9 COUNCIL CLERK: Miller? Moya?

10 COUNCIL MEMBER MOYA: I vote aye.

11 COUNCIL CLERK: Thank you. Powers?

12 COUNCIL MEMBER POWERS: I vote aye.

13 COUNCIL CLERK: Thank you. Reynoso?

14 COUNCIL MEMBER REYNOSO: I vote aye on

15 all.

16 COUNCIL CLERK: Thank you. Rivera?

17 COUNCIL MEMBER RIVERA: Permission to
18 explain my vote?

19 COUNCIL MEMBER CUMBO: Permission
20 granted.

21 COUNCIL MEMBER RIVERA: Thank you for the
22 opportunity to speak with you today to make history
23 and take care of our neighbors. I'll proudly be
24 voting aye on all of the bills, and especially proud
25 to bring municipal voting to New York City. In

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everything I do I prioritize building a future for New York City that is safe, equitable, and inclusive. I have several pieces of legislation before the body today that help achieve that goal, and to be introducing three new bills that will create big positive change for New Yorkers. The first bill known as the LARC Bill, that we'll be-- that we have voted on today. It requires city health clinics to provide long-acting reversible contraception, or LARC, to all New Yorkers regardless of ability to pay, making New York City the leader in access to reproductive healthcare that we know we are. In acknowledgment of our nation's history of forced sterilization, specifically in the Puerto Rican community. This bill also mandates DOHMH provide culturally sensitive education on LARC options because true access includes informed decision making. Introduction 2372B, my bill with the phenomenal Council Member Selvena Brooks-Powers, offers a path to healing for survivors who have been failed by the very institutions tasked to protect them by creating a two-year look-back window for survivors of gender-motivated violence to file civil actions against their assailants under the Gender-

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motivated Violence Protection Act of 2000, even if the statute of limitations in the case has already expired. As New Yorkers, we pride ourselves on being ahead of the curb, but when it comes to codified language on disability, we are woefully behind. My other bill, Introduction 2141 removes clinically outdated derogatory terms from our city's health laws, replacing them with language that ensures the city can provide inclusive, person-first services to all New Yorkers. And finally, my last bill, 2201 brings a long overdue solution for bureaucratic challenges facing motorcyclists. I'm so happy and pleased that we're voting on these four bills today. Thank you to everyone who voted aye. I encourage the rest of y'all to do the same, and to sign onto the three bills I am also proudly introducing, including Hotels to Housing, a game-changing bill to increase our affordable housing stock. Thank you so much. I proudly vote aye.

COUNCIL MEMBER CUMBO: Thank you.

COUNCIL CLERK: Thank you. Council Member Miller?

COUNCIL MEMBER MILLER: Good evening. I will be voting aye on all with the exceptions of 1724

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2 for which I will be voting no, and 2440 which I will
3 be abstaining.

4 COUNCIL CLERK: Thank you.

5 COUNCIL MEMBER MILLER: Thank you.

6 COUNCIL CLERK: Thank you. Rodriguez?
7 Rose?

8 COUNCIL MEMBER ROSE: I vote aye on all.

9 COUNCIL CLERK: Thank you. Rosenthal?

10 COUNCIL MEMBER ROSENTHAL: With
11 congratulations to my colleagues, aye on all.

12 COUNCIL CLERK: Thank you. Salamanca?

13 COUNCIL MEMBER SALAMANCA: Aye on all.

14 COUNCIL CLERK: Thank you. Treyger?

15 COUNCIL MEMBER TREYGER: Permission to
16 explain my vote?

17 COUNCIL MEMBER CUMBO: Permission
18 granted.

19 COUNCIL MEMBER TREYGER: Colleagues, I
20 speak this evening, now, on my bill Intro 1085B, a
21 Local Law in relation to Civil Legal Services for
22 domestic violence survivors who are a party to a
23 divorce proceeding. The bill was introduced in
24 August of 2018. The world has changed a lot since
25 then, but unfortunately, with the pandemic we know

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domestic violence has only gotten worse. In May of 2018 the New York Times wrote an article called "Their Husbands Abuse Them, Shouldn't Divorce Be Easy." This article gave a harrowing insight into the struggles so many women face when they seek a divorce. Because of this historic bill, victims and survivors of domestic violence can focus on their safety without having to worry about the cost of a divorce. The bill will offer free legal services for domestic violence survivors who are party to a divorce proceeding. Your safety shouldn't be determined by your income. No one should have to stay in an abusive marriage, simply because they can't afford a divorce lawyer, and as we know, domestic violence impacts all of our communities across the city. This is an important bill, and I ask my colleagues to vote aye. I want to thank Chair Darma Diaz, Brenda McKinney, Chloe Rivera, Smita Deshmukh, Anna [inaudible] my Chief of Staff, Vanessa Ogle [sp?], Maria Henderson, and with that, I vote aye with the exception of 2440, where I vote no. Thank you, Majority Leader.

COUNCIL MEMBER CUMBO: Thank you.

COUNCIL CLERK: Ulrich?

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2 COUNCIL MEMBER ULRICH: Madam Majority
3 Leader, I'd like to vote aye on all with the
4 exception of Introduction 1621A, 1867A, 2309A, 2440A,
5 and M346 with accompanying Resolution 1862, and aye
6 on the rest as I mentioned. Thank you.

7 COUNCIL MEMBER CUMBO: Thank you.

8 COUNCIL CLERK: Vallone?

9 COUNCIL MEMBER VALLONE: I vote no on
10 2440 and aye on all the rest, and everyone safely
11 [sic] home. Thank you.

12 COUNCIL CLERK: Thank you. Van Bramer?

13 COUNCIL MEMBER VAN BRAMER: Aye on all.

14 COUNCIL CLERK: Thank you. Vernikov?

15 COUNCIL MEMBER VERNIKOV: Madam Majority
16 Leader, no on Introduction 1621, 2309, 2440, and M346
17 with accompanying Reso 1862, and aye on the rest.
18 Thank you.

19 COUNCIL MEMBER CUMBO: Thank you.

20 COUNCIL CLERK: Yeger?

21 COUNCIL MEMBER YEGER: Madam President,
22 may I be excused to explain my vote?

23 COUNCIL MEMBER CUMBO: Permission granted.

24 COUNCIL MEMBER YEGER: Thank you very
25 much. First off, I neglected to say publicly what I

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2 said privately, just welcome to my new colleagues,
3 our new colleagues, Council Member Cabán, Carr,
4 Vernikov with whom I share a larger border. I look
5 forward to working with you all. You know, I look
6 around the room and it's-- is that clock right? It's
7 5:50, and you know, there was a member of this body
8 once that suggested that Council Members ought to get
9 paid overtime-- I don't agree with that, by the way,
10 I disagree with that.

11 COUNCIL MEMBER CUMBO: I vote aye.

12 COUNCIL MEMBER YEGER: I disagree with
13 that. Council Members should not get paid overtime.
14 To be clear, that's my position. That Council Member
15 is not in the room now because they're busy outside
16 doing interviews, because that's the way they feel
17 that their job is. Our job is in here or in our
18 community, not shilling for the press and making our
19 points for the camera and the picture. Not you, Joe,
20 relax. I vote aye on all with the exception of
21 Introduction 2458. Very briefly, I typically vote
22 against the increase of bid assessments because those
23 are taxes. Those are taxes that have to be assessed
24 on people who do business in those neighborhood
25 because the City refuses to provide the basic

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services that are necessary. It shouldn't be that way. People pay taxes, they ought to get the services. So I'm voting no on 2458. I'm voting no on 2440, no LU 911 with accompanying Resolution 1864. Voting no on Introduction 2309 for the reasons I said at committee on that, I believe. I am voting no Introduction 2460. I am voting no on LU 918 and 919, LU 924, and I'm abstaining on Introduction 1621 for the reasons I stated at Committee. And I have one more no vote, excuse me. Usually better at this. I vote no on Introduction M346 and accompanying Resolution 1862. Thank you very much Madam President.

COUNCIL MEMBER CUMBO: Thank you.

COUNCIL CLERK: Borelli?

COUNCIL MEMBER BORELLI: Always problems, huh? Always problems. I vote aye on all except 1621A, 2309, 2440A, and M346 with accompanying Resolution 1862. Good night everyone.

COUNCIL CLERK: Last call, Cabrera?
Ruben Diaz, Senior? Perkins? Rodriguez? Eugene?
Council Member Eugene?

COUNCIL MEMBER EUGENE: I vote aye.

COUNCIL CLERK: Thank you, sir. Cumbo?

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2 COUNCIL MEMBER CUMBO: I vote aye.

3 COUNCIL CLERK: Speaker Johnson?

4 SPEAKER JOHNSON: I vote aye on all.

5 Folks that are on Zoom, we still need you. We have a
6 Resolution. So please don't leave.

7 COUNCIL MEMBER CUMBO: All items of
8 today's-- order, excuse me. Can we have quiet in the
9 Chamber? All items on today's General Order Calendar
10 are adopted by a vote of 47 in the affirmative, 0
11 negative and 0 abstentions, with the exception of
12 Intro 2440-A which was adopted by a vote of 37 in the
13 affirmative, 9 negative, and 1 abstention. Intro
14 1621A which was adopted by a vote of 41 in the
15 affirmative, 5 negative, and 1 abstention, and Intro
16 1724A which was adopted by a vote of 44 in the
17 affirmative, 3 negative, 0 abstentions. And intro
18 2309 which was adopted by a vote of 42 in the
19 affirmative, 5 negative and 0 abstentions. And M346
20 and Resolution 1862 which was adopted by a vote of 42
21 in the affirmative, 5 negative, and 0 abstentions.
22 And Intro 2458 which was adopted by a vote of 46 in
23 the affirmative, 1 negative, and 0 abstentions. And
24 LU 911 and Resolution 1864 which was adopted by a
25

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2 vote of 46 in the affirmative, 1 negative, and 0
3 abstentions. Introduction and reading of bills.

4 SPEAKER JOHNSON: All bills are referred
5 to committees as indicated on today's agenda.

6 COUNCIL MEMBER CUMBO: Thank you. We'll
7 now move into discussion of Resolutions. Are there
8 any Council Members that have signed up to speak on
9 today's Resolutions? There are no members that wish
10 to speak on today's resolution. If we could please
11 have quiet in the Chamber? We are now going to move
12 into a voice vote on today's Resolution. If you wish
13 to vote against or abstain from today's Resolution,
14 please notify the Legislative Documents Unit by email
15 right now. I'll now read today's Resolution into the
16 record. Resolution 976A calls on the New York City
17 Comptroller to instruct the pension funds of public
18 employees in the New York City to divest from an
19 avoid any financial exposure to companies involved in
20 the production and maintenance of nuclear weapons.
21 Reaffirms New York City as a nuclear weapons-free
22 zone. Joins the ICAN [sic] City's appeal and calls
23 on the United States to support and join the treaty
24 on the prohibition of nuclear weapons. Will all
25 those in favor please say aye?

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2 ALL MEMBERS: Aye.

3 COUNCIL MEMBER CUMBO: All opposed say
4 nay. Hard to tell sometimes. Any abstentions? The
5 ayes have it. We will now move into General
6 Discussion. Are there any members that wish to speak
7 on General Discussion? I'm informing Speaker Johnson
8 that we have 12 members ready to speak on General--

9 [laughter]

10 SPEAKER JOHNSON: Madam Majority Leader,
11 I move to replace the Chair for the rest of the
12 meeting.

13 COUNCIL MEMBER CUMBO: We have Council
14 Member Kallos.

15 SPEAKER JOHNSON: No we don't.

16 COUNCIL MEMBER CUMBO: Seeing as we have
17 no members signed up to speak on General Discussion,
18 I will now call on Speaker Corey Johnson to close
19 today's Stated Meeting.

20 SPEAKER JOHNSON: Madam Majority Leader,
21 you didn't use all the time on your clock in remarks
22 earlier, so if you want to-- the Stated Meeting of
23 December 9th, 2021 is hereby adjourned. One Stated
24 Meeting left. Thank you all very much.

25 [gavel]

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3 [TRANSCRIBER'S NOTE] VOTE CLARIFICATION:

4 Introduction 2460 is adopted by the Council with 46

5 in the affirmative, 1 negative, and zero abstentions.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date January 13, 2022