

BILL PERKINS
SENATOR, 30TH DISTRICT
RANKING MINORITY MEMBER

CORPORATIONS, AUTHORITIES &
COMMISSIONS

COMMITTEES:

CIVIL SERVICE & PENSIONS
CODES
ENVIRONMENTAL CONSERVATION
FINANCE
JUDICIARY
LABOR
RULES
TRANSPORTATION

NEW YORK
STATE
SENATE
ALBANY, NEW YORK 12247



ALBANY OFFICE
517 LEGISLATIVE OFFICE BUILDING
ALBANY, NEW YORK 12247
518-455-2441
FAX 518-426-6809

DISTRICT OFFICE
STATE OFFICE BUILDING
163 WEST 125TH STREET
ROOM 912
NEW YORK, NEW YORK 10027
212-222-7315
FAX 212-678-0001

E-MAIL
PERKINS@NYSENATE.GOV

WEBSITE
PERKINS.NYSENATE.GOV

April 4, 2012

The Honorable Andrew M. Cuomo
Governor of the State of New York
Executive Chamber
New York State Capitol Building
Albany, NY 12224

Re: Open Letter -- The New York State DREAM Act

Dear Governor:

With great concern and disappointment I am writing you today. On March 27, 2012, during a press conference regarding budgetary agreements, you were asked about your support of the New York State DREAM Act. My disappointment was sparked by the implication that it is not worth your support because it cannot offer citizenship. Though, you later stated that you support the concept of "creative ways to incentivize education for new immigrants." I would like to take this opportunity to clarify any misconceptions you may have about the state NYS Dream Act as proposed by my bill S4179C. I am concerned that on one hand you state that you fully support it and you support creative ways to incentivize education for new immigrants, yet you are not supporting it. Let me take this opportunity to clarify.

As we know, the New York State DREAM Act cannot offer citizenship, that power rests with the federal government. However, it certainly aides in the process by promoting educational attainment and economic independence. As you are aware, demonstrating continued employment and economic independence are key factors in becoming a citizen. Moreover, it is not our job to define what can be and what cannot be called a DREAM Act. That responsibility rests with the Dreamers. What we name this legislation is not the issue, rather it is the goals the legislation aims to achieve, which if passed would mean a great deal to a lot of our young dreamers.

You also stated that you wish you had, as governor, the power to make citizenship decisions. Though clearly this is not a direct citizenship decision, as governor you do have the power to push for policies and programs that you support. In fact, this has been your modus operandi since first taking office. As with all policies and programs that you wish to see accomplished and implemented, you find a way to get it done. From redesigning the taxing structure of this state to

implementing Tier VI, you have continued to aggressively advocate and push for the issues that are important to you and New Yorkers. As you and many others know, if you truly wanted to see the NYS DREAM Act become law you could have put it in your executive budget, which is a tactic you and scores of governors before you have used. Your full and aggressive support of the DREAM act is needed at this time. Anything less may be perceived as you merely feigning support in the interest of political coverage while avoiding the political controversy and that you do not truly support it. The fact is, however, that while the political dance ensues, tens of thousands of undocumented youth continue to suffer and await uncertain futures.

As a state that has benefited from having one of the largest and most diverse immigrant populations, and who has been on the forefront of progressive immigration policies, we must push back on the tide of national and local anti-immigrant sentiments and policies. We have one of the nation's premier public higher education systems, and we should be providing all New Yorkers with the same access, assistance and opportunity to get a quality education. We are a nation that welcomes, not a nation that rejects or denies the freedoms and opportunities which the Statute of Liberty represents and for which New York is highly regarded.

According to the U.S. Census Bureau, New York State is comprised of nearly 22% foreign born residents that add to the beautiful mosaic of New York. Many of these residents live in the New York City area, but many foreign born residents also call Long Island their home. Nassau County consists of over 20% foreign born residents, and Suffolk has almost 15%. The populations of Nassau and Suffolk County amount to 1,339,532 and 1,493,350, respectively, thus the number of foreign born residents in each county total 277,283 and 209,069. The voices in these communities deserve true representation and support from their elected officials. They deserve, like all other New Yorkers, the same access to educational support. Passing S.4179C would send a clear message to these communities and the country that New York fully supports and represents its residents. Adopting anything less would be inadequate.

Yes, this bill is about access to education, but it is also about providing a pathway to economic prosperity for both the individual receiving the education and for the state. Increasing the education level of workers also increases their productivity, and the more highly educated the state's labor force, the more attractive the state is as a place to locate businesses. If you want New York to be open for business then it's time to open the doors of opportunity.

There are currently an estimated 475,000 undocumented immigrants in the New York State labor force.¹ Having large numbers of undocumented workers should not be considered a permanent situation: federal reform is urgently needed to fix immigration policy. But gridlock at the federal level should not prevent New York State from investing in its own economy. The National Skills Coalition reports that New York is facing a shortage of workers who have the required skill level for most job openings. New York would benefit greatly from undocumented students receiving access to a college education. In fact, National Skills Coalition also estimates that 39% of all future job openings will require at least an associate's degree.

¹ Jeffrey Passel and D'Vera Cohn, "U.S. Unauthorized Immigration Flows Down Since Mid-Decade," (Washington, D.C.: Pew Hispanic Center, September 1, 2010), Table A2. Estimate is based on 2009 data.

Furthermore, at its foundation, the NYS DREAM Act comes down to a basic principle on which this nation was founded. It is universally accepted that those who pay taxes should benefit from those taxes, whether those benefits be public safety or access to higher education. According to the Institute for Taxation and Economic Policy, undocumented immigrants paid over \$662 million in taxes to New York State in 2010, making it the state with the fourth highest revenue in taxes from undocumented immigrants.² They paid approximately; \$104.4 million in personal income taxes, \$95 million in property taxes, and over \$463 million in sales taxes. It is unjust, unfair and un-American to collect well over a half a billion dollars in tax revenue from undocumented immigrants only to deny them financial support that is granted to other New Yorkers.³ Plainly speaking, this legislation would respect the dignity and contributions of undocumented youth in New York.

In fact, the benefits realized by this bill undeniably outweigh the costs. As you know, the Fiscal Policy Institute estimates that the cost would be less than 2% of TAP. Moreover, The Board of Regents estimates that the cost would be less than 1% of TAP. Again, this bill is more than just about access to education, it is also about providing a pathway to economic prosperity for individuals and strengthening the economy of New York State. This bill will help create jobs and foster economic growth. Restricting access to education is not the way to grow our economy and it is not the way to promote economic growth. By ignoring these worthy individuals who yearn for access to higher education, we are failing to truly address their needs as a community and we are ignoring the potential to create thousands of jobs in this State and help grow the economy.

Sincerely,

A handwritten signature in black ink that reads "Bill Perkins". The signature is written in a cursive, flowing style with a long horizontal stroke at the beginning.

Bill Perkins, Senator
30th Senatorial District

² American Immigration Council: Immigration Policy Center. *Unauthorized Immigrants Pay Taxes. Too*. 18 April 2011. Obtained on March 2, 2012 from < <http://immigrationpolicy.org/just-facts/unauthorized-immigrants-pay-taxes-too>>.

³ Ibid.