



Office of  
Immigrant Affairs  
Nisha Agarwal  
Commissioner

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NYC Mayor's Office of Immigrant Affairs

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“Oversight: Preparing for the Impact of Federal Travel Bans on New York City’s Economy”

Thank you to Chair Garodnick and the members of the Committee on Economic Development. My name is Bitta Mostofi and I am the Assistant Commissioner of the Mayor's Office of Immigrant Affairs.

This testimony will provide an overview of the impacts on New Yorkers, both economic and otherwise, of President Trump's executive orders restricting travel and immigration to the United States.

I will describe how the City has responded to these repercussions under the leadership of Mayor de Blasio, who has repeatedly affirmed the City's commitment to protect and serve all New Yorkers, regardless of race, religion, national origin, or immigration status.

### **Background**

President Trump signed the first version of an executive order suspending immigration from seven countries on January 27, 2017. This order banned entry for nationals from seven Muslim-majority countries (Iraq, Iran, Syria, Somalia, Libya, Yemen, and Sudan) for at least 90 days, banned entry for Syrian refugees indefinitely, and suspended the refugee resettlement program for at least 120 days, while also significantly reducing the quota of refugees to be resettled in the United States for the remainder of Fiscal Year 2017.

This order caused chaos and confusion in the immediate aftermath of its signing. Some individuals who had already boarded flights to the United States before the order was signed were detained at U.S. airports. Some were denied entry and sent back to their countries of origin. Refugees who had passed all of their security checks and screenings and were prepared to come to the United States after months or even years of waiting were told that they were no longer able to enter. In some cases, even legal permanent residents and others with lawful U.S. immigration status, such as those with student visas or work visas, were subject to detention. After several lawsuits, the major provisions of the EO were enjoined by district courts less than two days after its signing.

In response to these decisions, the Trump administration issued a second EO, on March 6, with similar objectives. This time, however, the order suspended entry from the same countries except Iraq, did not single out Syrian refugees for indefinite suspension, provided clearer instructions for implementation, and explicitly listed classes of individuals who would be exempt from the order, including those with valid immigration status. Federal courts have enjoined key provisions of this EO nationwide, and the federal government has appealed these decisions. While the future of the second order is uncertain, the impacts of both EOs have been far-reaching. In conjunction with the numerous other actions by the federal government designed to ramp up immigration

enforcement, these orders have contributed to an overall climate of xenophobic sentiments, the realities of which are felt not just in our city but nationwide and even internationally.

### **Impact on New Yorkers**

Despite the injunctions, both orders have significantly impacted immigrant communities in New York City. Over 26,000 New Yorkers were born in the six countries affected by the second version of the EO and nearly 40,000 claim ancestry from these countries. Even if these individuals were not directly affected by the ban due to legal status or citizenship, their family members, employees, or business associates could be affected. The executive orders also call for enhanced vetting of immigrants and travelers, raising fears among individuals from the named countries and beyond. Many people have been understandably afraid to travel or enter the country from abroad even though the orders have been halted. Many have remained separated from their families due to fear that the courts' injunctions might be overturned. Many more have expressed fears that their country of origin could be added to the list of suspended countries.

These fears are not baseless. Many individuals were stranded abroad or unable to leave the country during the first iteration of the EO. Families were separated, international students were unable to return to their universities, doctors could not return to practice, and employees of many global corporations were forced to remain abroad. These incidents only served to amplify the fear that many people felt and continue to feel regarding international travel. They have created a fertile ground for false rumors about what the executive orders entail and how they may be expanded. As a result, even individuals who were not born in one of the six banned countries and individuals who hold US citizenship have reported fear of travel.

This culture of fear also increases the susceptibility of immigrants to the unauthorized practice of immigration law. Immigrants in this city have long contended with immigration service provider fraud, or notario fraud, in which an individual who is neither a licensed attorney nor accredited to provide legal advice offers legal services to immigrants, often targeting those who are undocumented and charging steep prices for these fraudulent services. People's willingness to trust these individuals is likely to increase as a result of the fear and confusion generated by the EOs.

The administration's actions have also been correlated with a notable uptick in the occurrence of bias crimes—especially due to religious motivation. Last year, President Trump's frequent use of xenophobic rhetoric during his campaign was correlated with an upward trend in the incidence of bias and hate crimes. The City's Commission on Human Rights saw a 30 percent increase in reports of national origin, race, religion, and alienage/citizenship status discrimination in 2016, with nearly 1,500 reports of alleged discrimination in these areas in 2016 compared to

approximately 1,100 reports in 2015. The increase only become more drastic after the President took office and signed the first travel ban order one week later. NYPD Hate Crime Task Force data show 168 incidents of bias crime have occurred in the city from the start of the year to April 16—more than double the number of crimes reported in the same timeframe the year before.

All of these impacts give rise to broader economic consequences that can be placed into two categories: first, the impacts on NYC residents and, second, the impacts on international travelers who may consider visiting New York. The executive orders have had, and could continue to have, negative effects on immigrants' economic output and consumption, by causing immigrant communities to feel excluded and divided from the rest of society. These feelings—of fear and confusion, of isolation and division—naturally detract from individuals' willingness, and in some cases their ability, to engage with local economies and to continue to see themselves as a necessary part of our larger community. Moreover, the perception of unwelcoming policies and intolerance that these anti-immigrant policies risks creating a downturn in the interest of individuals to visit and stay in New York City. This impact is disproportionately concentrated in New York. According to data compiled by my colleagues at NYC & Company, NYC is the initial destination for 30% of all international visitors to the U.S., and for nearly 50% of all visitors nationwide from the countries singled out by the President's executive orders. NYC & Company will speak more about the impacts of these EOs on travel and tourism during their testimony.

### **The City's Response**

In light of these serious impacts on the immigrant communities of New York, the City has responded forcefully to continue protecting and serving all New Yorkers.

First, we have directly responded to and contested the orders. In the immediate aftermath of the first order, our Commissioner and staff were at JFK airport, helping to coordinate responses from attorneys and members of Congress in order to advocate with federal officials for the release of those detained.

Additionally, through our national coalition of mayors, called Cities for Action, we've responded strongly against federal anti-immigrant policies by leading legal efforts, releasing coordinated statements and letters by municipal leaders, and meeting with inter-governmental partners. The coalition also developed a shared strategy amongst cities nationwide to coordinate and amplify the voices and efforts of municipal leaders who advocate for immigrant inclusion.

We most notably leveraged this coalition by filing amicus briefs in cases filed to challenge both executive orders. In the case of *Darweesh v. Trump*, in the Eastern District of New York, we

filed jointly with coalition partners from 34 cities and counties, representing 23 million people, the brief argued that the first EO would deeply harm millions of residents by interfering with local economies, immigrant integration, and public safety efforts. To quote directly from the brief, “In the short time that the Executive Order’s restrictions were in place, those restrictions stranded students, separated families, disrupted travel and commerce, spread fear among our residents and visitors, and projected a message of intolerance and distrust toward members of our communities.”

The brief makes a strong statement that the economies and cultures of our city, along with so many other cities across America, depend on openness to immigrants and visitors. New York City is one of the country’s largest ports of entry and holds symbolic weight as the origin point for many immigrant stories in this nation. Nearly half of the city’s workforce is foreign-born and more than half of the city’s business-owners are immigrants. Neither New York City’s economy nor its cultural makeup can exist without our foreign-born residents, and it was immensely important for us to communicate this fact directly in argument against the harmful actions of the federal administration.

We also joined other cities in filing amicus briefs in support of state lawsuits against the executive orders. Washington and Minnesota’s suit against the first EO resulted in the issuance of a nationwide injunction that was affirmed by the Ninth Circuit Court of Appeals. We joined an amicus brief in support of Hawaii’s challenge to the second EO, and will continue to explore opportunities to advocate for the City and our residents’ interests in the courts.

We have worked on gathering crucial information and disseminating it to key populations and groups. We have briefed various faith and community leaders, along with the staff of our sister agencies, private attorneys, and numerous community-based organizations. We have focused on distributing this information out to the community—through informational campaigns and days of action coordinated with our sister agencies, presence at community town halls, and numerous Know Your Rights Forums. We’ve also communicated through a comprehensive one-pager translated into over ten languages that the City’s resources—hospitals, schools, shelter, emergency assistance, and more—remain accessible to New Yorkers regardless of their immigration status. Finally, our program ActionNYC has been instrumental in ensuring that we connect vulnerable immigrants to safe and free legal services.

### **Conclusion**

These executive orders run counter to the values of our city and our nation. They have had starkly negative impacts on our city’s immigrant communities and on our city as a whole. If allowed to go into effect, the executive order would cause far greater harm still. We will continue

to use every tool at our disposal to maintain our commitment to serve and protect all New Yorkers regardless of status, national origin, religion, or race. New York City's immigrant communities are vital to the fabric of our city and make us who we are. They are our friends and neighbors, our teachers and our colleagues. Any action taken to curtail their ability to live safely and comfortably erodes that which makes us great.

The executive orders banning entry into our country and suspending refugee resettlement have had, and may continue to have, harmful negative consequences on these communities. We look forward to further discussion of the impacts on the economies of New York City from our colleagues at NYC & Company. Thank you.