

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

TRANSPORTATION COMMITTEE HEARING

STATE CAPITOL
HARRISBURG, PA

IRVIS OFFICE BUILDING
ROOM G-50

WEDNESDAY, AUGUST 11, 2021
10 A.M.

PRESENTATION ON HOUSE BILL 279

BEFORE :

HONORABLE TIM HENNESSEY, MAJORITY CHAIRMAN
HONORABLE ROSEMARY BROWN
HONORABLE LINDA SCHLEGEL CULVER
HONORABLE DOYLE HEFFLEY
HONORABLE LORI MIZGORSKI
HONORABLE LOUIS SCHMITT
HONORABLE MEGHAN SCHROEDER
HONORABLE MIKE CARROLL, DEMOCRATIC CHAIRMAN
HONORABLE JOSEPH HOHENSTEIN
HONORABLE SARA INNAMORATO
HONORABLE STEPHEN KINSEY
HONORABLE KYLE MULLINS
HONORABLE PERRY WARREN

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ALSO IN ATTENDANCE:
HONORABLE DANILO BURGOS

COMMITTEE STAFF PRESENT:
TORREY LAUERMANN, MAJORITY RESEARCH ANALYST
MEREDITH BIGGICA, MINORITY EXECUTIVE DIRECTOR

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Pennsylvania House of Representatives
Commonwealth of Pennsylvania

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P R O C E E D I N G S

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MAJORITY CHAIRMAN HENNESSEY: Good morning,
everyone.

The hour of ten o'clock, the time set for this hearing on House Bill 279 has arrived. So let me begin by thanking the members who are here, Chairman Carroll and myself, Representative Hohenstein, Representative Burgos. We are joined virtually by Representative Meghan Schroeder, Representative Rosemary Brown, Representative Lori Mizgorski, and there may be others either who come in here or join us virtually during the course of these proceedings.

This bill, House Bill 279, proposes to allow certain people who have been living here in this country, often in Pennsylvania, for periods of many years, to be qualified for a Pennsylvania driver's license. I scheduled the bill for a hearing to explore the situation as it exists in Pennsylvania today. And in preparing for the hearing, I learned that there are approximately 160,000 undocumented immigrants 16 years of age or older living in Pennsylvania. Thirty-four percent of them lived in the United States for more than 10 years, 12 percent have been here for more than 20 years. So roughly one-half of those 160,000 people have been here for more than 10 years.

We are joined by Representative Kinsey of

1 Philadelphia.

2 I also learned that the Pennsylvania mushroom
3 industry, which is of great importance to us in Chester
4 County, especially in four townships around Kennett Square in
5 southwestern Chester County, relies heavily on this
6 population for its mushroom production each year.

7 Also, the apple- and peach-picking industries
8 in Adams and Franklin and Cumberland and York Counties, and
9 to a lesser extent Fulton and Somerset and Bedford Counties
10 and others also rely on the immigrant population for the
11 picking of fruit and having the ability to get their produce
12 to market.

13 Pennsylvania ranks first in the United States
14 in mushroom production, fourth among all states in terms of
15 apple and peach production. So the mushroom, apple, and
16 peach industries are dependent on migrant workers. Some are
17 here as a result of H-2A visas, others have come without the
18 benefit of those visas, and as I said, many of them are here
19 for many years, year-round.

20 Many growers report having the same workers in
21 their orchards or industries for 10, 15, sometimes 30 years
22 at a time. They're here, they're needed, and they're
23 reliable.

24 That being said, I'm not all sure that the way
25 House Bill 279 is drafted is necessarily the answer. It has

1 problems -- some of which will be discussed today -- but with
2 a population of 160,000 people, some accommodations may well
3 be warranted and necessary.

4 If people drive to grocery stores, to doctors
5 and hospitals, to schools and activities for their children,
6 it's better that they would have insurance for any accidents
7 that they might -- which might happen. It's better for them,
8 it's better for the other party in the accident, it's better
9 that they have driving skills and have shown proficiency in
10 operating on our highways.

11 I was also surprised to learn that 16 states
12 already allow for some sort of driving privilege across our
13 country, including Maryland, Delaware, New Jersey, and
14 New York State which border Pennsylvania. Most of those are
15 fairly recent, five and six years old. Washington State and
16 the far west has had a driving privilege option since 1993;
17 Utah out in the western part of the country, since 2005. So
18 we have some history that we can look on in terms of the
19 various states across the country.

20 Delaware's driving card and Maryland's both
21 require at least two years of the filing of income taxes by
22 the head of the family. They are not valid for federal ID
23 purposes. They're not valid for voting. New York's driving
24 privilege card expressly states that it's not valid for
25 identification, as does Utah's.

1 I've received e-mails from people concerned
2 that these kind of ID cards might be confused with general
3 driver's licenses, and my thought would be that people who
4 are bent on doing harm to our country wouldn't likely go to
5 the trouble of creating a forged limited license card like
6 this. They would probably just -- and I think the terrorists
7 back in 2001 forged real ID cards and general driver's
8 licenses. You know, a limited card with some conditions on
9 it, it's not likely to be -- it's probably more likely to
10 draw attention than just somebody trying to duplicate a
11 limited license card.

12 So with that being said, I welcome the hearing
13 on House Bill 279. I think we need to learn a lot about this
14 subject because it is of vital importance to a lot of our
15 produce industry across the Commonwealth.

16 I'll call on Representative Dan Burgos to
17 speak. He's the prime sponsor of 279, but I first wanted to
18 recognize Chairman Mike Carroll, my Democratic counterpart,
19 to make some comments. And then we'll hear from some groups,
20 some in favor, some against this proposal. Frankly,
21 listening to both sides is the best way we can, I can think
22 of, to develop good public policy in the Commonwealth and
23 that's what we're trying to do.

24 So with that, I'll recognize Chairman Mike
25 Carroll.

1 DEMOCRATIC CHAIRMAN CARROLL: Thank you,
2 Chairman Hennessey.

3 And welcome to all of you here to the Capitol
4 today. If it's your first time, I hope you have a minute to
5 take a look around the building. It is quite beautiful.

6 First, I'd like to congratulate
7 Representatives Burgos, Hohenstein, Innamorato, and Sanchez
8 and others for their passion and advocacy for this issue to
9 be contemplated and considered. Their advocacy is not
10 measured in days and weeks, but instead months and years.
11 And so, I congratulate them for their desire to bring this
12 issue forward.

13 And Chairman Hennessey did a quite thorough
14 job of outlining the lay of the land when it comes to what is
15 before us today, so I won't repeat any of those thorough
16 statistics.

17 I will congratulate Chairman Hennessey for his
18 willingness to hold this hearing. Because it's been my
19 experience in the Capitol that we don't often open the door
20 to a conversation to things that are complicated and generate
21 passionate views on one side or the other. And so a
22 willingness to have a conversation is something that we
23 should embrace in this building more often. It is far too
24 easy, in my view, to simply ignore an issue and look past it
25 and have the status quo reign forever.

1 I often use for my Lions Club and Rotary
2 speeches that the dirtiest word in the dictionary in
3 Pennsylvania is "change." We are reluctant to change in
4 Pennsylvania, we are seldom at the front of the line for
5 change in Pennsylvania, but sometimes change is important and
6 necessary. And whether or not 279 as constructed in this
7 bill is the answer, I'm not sure. There's almost no bill
8 that I'm familiar with that runs through this process that
9 doesn't get amended and refined as it works its way through
10 the system.

11 So 279 is a solid start for discussion and I'm
12 thrilled that we're having the discussion.

13 MAJORITY CHAIRMAN HENNESSEY: Thank you, Mike.

14 Before we begin, we've been joined in person
15 here by Representative Kyle Mullins and Representative Doyle
16 Heffley, also virtually by Representative Perry Warren,
17 Representative Linda Culver, Representative Lou Schmitt, and
18 Representative Sara Innamorato.

19 If anyone virtually wishes to ask a question
20 or make comments, please notify Torrey Lauermann seated to my
21 right. Her e-mail is tlauermann@pahousegop.com, or on the
22 Democratic side, if you wish to notify Meredith Biggica. I
23 ought to get -- after all these years, I should be able to
24 pronounce that better. Her e-mail is mbiggica@pahouse.net.

25 With that, I will turn to Representative

1 Danilo Burgos to give us his views on House Bill 279.

2 Dan.

3 REPRESENTATIVE BURGOS: Good morning, Chairman
4 Hennessey --

5 MAJORITY CHAIRMAN HENNESSEY: Good morning.

6 REPRESENTATIVE BURGOS: -- Chairman Carroll.

7 Thank you for the opportunity to discuss
8 House Bill 279 and to allow all the advocates that for years
9 have been working on this very issue. This issue of safety,
10 this issue of dignity for a community that through the
11 pandemic and through every other disaster has continued to
12 work without -- or little or no support from the
13 Commonwealth. But they've come and they work in our fields,
14 they work in our meatpacking factories, they work in our
15 schools, they work in our communities, cleaning our houses,
16 cleaning our businesses, and yet, we provide no safety net
17 for this community.

18 For years, the federal government has
19 undermined the work visas and has reduced the number of legal
20 visa opportunities to these countries, whether it be
21 Guatemala, Mexico, Dominican Republic, or any South American
22 country. They continue to reduce the number of available
23 legal visas making it almost impossible to come here legally.

24 This is why House Bill 279 is crucial not only
25 just to return dignity and some self-pride to the community

1 of hardworking people, my people. They continue to work in
2 our fields and our businesses, all throughout the
3 Commonwealth of Pennsylvania. And we cannot act as though
4 they are invisible. And to those individuals that have taken
5 their time to send my colleagues and I hate mail around this
6 issue, shame on you for undermining the great state of
7 Pennsylvania.

8 Thank you, Mr. Chairman.

9 MAJORITY CHAIRMAN HENNESSEY: Thank you, Dan.

10 Our first testifiers -- let me find it. Okay,
11 we have from the Pennsylvania Department of Transportation,
12 Deputy Secretary Kurt Myers, and from the Pennsylvania
13 Department of Agriculture, we have Cheryl Cook, who's the
14 deputy secretary from that department.

15 Kurt, you're listed on my agenda as the lead
16 speaker --

17 Oh, yes. Under the new procedure, please
18 raise your right hands, both of you.

19 Do you swear that the testimony you're about
20 to give this committee, the House Transportation Committee,
21 will be true and correct so help you God?

22 (Affirmative answers.)

23
24 KURT MYERS and CHERYL COOK, called as
25 witnesses, being duly sworn, testified as follows:

1 MAJORITY CHAIRMAN HENNESSEY: Thank you.
2 You may begin whenever you're ready, Kurt.
3 Thank you.

4 DEPUTY SECRETARY MYERS: Thank you,
5 Mr. Chairman, and thank you to Chairman Carroll, and the
6 other representatives present today.

7 On behalf of Secretary Gramian, it's my
8 privilege to be able to be here today and speak to you about
9 House Bill 279. I've submitted testimony that will stand as
10 presented, but I would like just to highlight a few items as
11 we go through our discussions in relation to this
12 legislation.

13 First and foremost, I want to be clear that
14 the Department of Transportation certainly supports the
15 concept of issuing driver's licenses to undocumented
16 residents. I want to be clear about that, that we believe
17 that this is something that should move forward, and we are
18 ready, willing, and able to make it happen, if this general
19 assembly makes a determination that this legislation should
20 move forward.

21 We're about safety and what better way to
22 ensure the safety of our highways than making sure that those
23 individuals driving vehicles on our highways have gone
24 through the various tests that the department delivers to
25 anyone getting a driver's license. And so getting the

1 physical, getting the knowledge test, taking the knowledge
2 test and passing it, along with taking the skills test, the
3 eye test, all of those things are tools to help ensure that
4 that individual is qualified to be able to operate a motor
5 vehicle on the highway safely, no different than what we do
6 with our medical recalls when someone isn't capable of
7 driving. We all want that individual off the road because
8 they may be a danger to themselves, as well as to others
9 around them.

10 So again, PennDOT is focused on highway
11 safety. We believe very strongly that the more individuals
12 that are tested and receive a driver's license based upon
13 passing those requirements, that's an important step forward
14 in ensuring the safety of all of our residents, of anyone who
15 is traveling on our highways.

16 I will say that some states have said that
17 there is an additional benefit to this because of insurance
18 rates, ensuring that people are insured. Obviously, we also,
19 here in Pennsylvania, have an emission inspection and safety
20 inspection. So all of these things go hand in hand from the
21 standpoint of an individual getting a license, a driver's
22 license, and qualifying for one, and then registering their
23 vehicle and things of that nature.

24 So we definitely support the concept. We look
25 forward to working with the general assembly in crafting

1 language that makes common sense and works for all of us.
2 There are some things in the bill that we certainly have to
3 address. For example, Pennsylvania has a legal presence law;
4 that legal presence law was enacted in 2002. It took effect
5 in 2003. And since then, it's been required of the
6 department that we confirm legal presence, either by an
7 individual being a U.S. citizen and presenting a passport, a
8 U.S. passport, and/or a birth certificate. And in addition
9 to that, then those individuals that are lawfully present in
10 the United States, they need to show us their INS documents
11 to be able to prove that they are legally present.

12 So that law, part of that law, would need to
13 change. With that said, we need to be clear that for
14 purposes of REAL ID, the federal regulations require us to
15 prove legal presence before we can issue a REAL ID. So we
16 can't take the legal presence language out of the Vehicle
17 Code altogether. There needs to be some understanding or
18 accepting of the fact that that needs to be there, not only
19 for REAL ID, but also for CDL driver's licenses. We are
20 required under federal law to prove legal presence as well.

21 So when it comes to CDLs, when it comes to
22 REAL IDs, we would still need that legal presence
23 requirement, but for the standard-issue driver's license,
24 that's where the change could be made to allow for a
25 standard-issue driver's license without that requirement of

1 legal presence.

2 And with that, I know there's probably a lot
3 of questions, and I'd like to leave plenty of time for that,
4 yeah. So I'd like to leave plenty of time for that, and so
5 I'll turn it over and go from there.

6 Thank you.

7 MAJORITY CHAIRMAN HENNESSEY: Deputy Secretary
8 Cook.

9 DEPUTY SECRETARY COOK: Thank you,
10 Mr. Chairman, and good morning to you and members of the
11 committee.

12 We appreciate the opportunity to be here today
13 even though we are not transportation experts; we're food
14 security experts.

15 On behalf of Secretary Redding, though, it's
16 my pleasure to join you and talk about House Bill 279, which
17 we support. We are supportive of those concepts. Again, if
18 the experts need to tweak it some to make it work for
19 everybody, that's fine, but it is time to recognize, as I
20 think most of Pennsylvania has over the last year or so, the
21 essentialness of agriculture to Pennsylvania's economy and
22 the equally essential nature of our workforce to making food
23 and agriculture a reality in this state. It's 81 --

24 MAJORITY CHAIRMAN HENNESSEY: Could you move a
25 little closer to the mic, Deputy Secretary?

1 DEPUTY SECRETARY COOK: Is this any better?

2 MAJORITY CHAIRMAN HENNESSEY: It is better.

3 Thank you.

4 DEPUTY SECRETARY COOK: So this is about
5 resiliency of our food and farm sector. It's an \$81 billion
6 industry just looking at what comes off the farm. When you
7 add in food processing, it more than doubles the impact to
8 the Pennsylvania economy, and we need people to make that
9 work.

10 We discovered over the course of the pandemic
11 that both in food processing, and particularly in our
12 meatpacking plants, and in our farm fields that what was
13 already near a crisis in having enough workers became even
14 more so. I could give you the names of farmers who have quit
15 the industry because they just can't get enough labor,
16 including the past president of the Pennsylvania Farm Bureau
17 who left the tomato industry for that reason.

18 It is essential that we remain competitive
19 with the states around us. As you've already noted,
20 Mr. Chairman, we are surrounded on three sides by states that
21 have already taken this step to allow laborers to drive, and
22 we want to be able to compete in the labor that we need here
23 in Pennsylvania.

24 You've already mentioned our largest cash
25 crop, the mushroom industry. We have, as well, in our fruit

1 belt many of our workers who will be in the fields picking
2 apples and then go into the plants and make the apple sauce
3 and the apple juice in the off months. So both on the food
4 production and processing side of the coin, we need to give
5 those workers the ability to do their jobs.

6 Pennsylvania, like most of the mid-Atlantic
7 and northeast states, is comprised of many small family
8 farms. We have a lot of landowners who are surviving spouses
9 who rent their land out to other farmers to farm. The system
10 works fine for everybody. The surviving spouse has income,
11 the farmers have access to the fields, but it requires moving
12 farm machinery over public roads. And so for that reason, as
13 well, in addition to what we've been talking about as far as
14 commuting and access to personally owned vehicles, there is
15 occasionally a need to drive a tractor or a truck over a
16 public road. And again, it's in everybody's interest to know
17 that the people who are doing that have earned a driver's
18 license and are safe for everyone to be around.

19 And I know if you're from mushroom country,
20 you have been caught behind farm vehicles on roads that
21 really aren't designed for them and are probably aware of
22 some of the problems that can result.

23 Farm laborers and agricultural workers deserve
24 the opportunity to use their own transportation to meet their
25 family's needs. It is about economic survival, but it's also

1 about family dignity and the independence of being able to
2 buy clothing and groceries and go to the doctor visits when
3 you need to.

4 I had the privilege in a prior life of helping
5 to secure funding for a farm laborer medical facility in
6 Franklin County. It is state of the art. It's fantastic,
7 but you have to be able to get to Franklin County, and not
8 everybody is able to do that with shared rides and those
9 kinds of other alternatives to being able to drive your own
10 car.

11 So I will stop by saying we all depend on farm
12 workers. If we didn't know it before the pandemic, we ought
13 to know it now. Every single one of us, every meal, every
14 mouthful of food we take depends on farm workers and farmers
15 to get it to market. And we look forward to working with the
16 committee and with our colleagues from PennDOT to make this
17 kind of concept a reality in Pennsylvania.

18 MAJORITY CHAIRMAN HENNESSEY: Thank you,
19 Secretary Cook.

20 Let me just kickoff the questions, if I can.

21 I'll give you a softball here, Kurt. Tell us
22 about the security issue, or the security steps, features,
23 that PennDOT has built into our driver's licenses to keep
24 them from being illegally duplicated.

25 DEPUTY SECRETARY MYERS: The physical product

1 really contains three levels of security over which everyone
2 can see when you look at the driver's license. There are
3 covert features. A covert feature would be one, for example,
4 when you go through TSA and they use the light to be able to
5 bring out the background. And then there are forensic
6 security features in the actual product itself. So there are
7 actually three levels of security built into the card itself.

8 And PennDOT focuses on ensuring that we make
9 changes to those security features as we go through various
10 cycles and time lines to ensure that we're using the most
11 state-of-the-art, if you will, security features in the
12 production of those products.

13 MAJORITY CHAIRMAN HENNESSEY: Okay. And then
14 I think it's safe to say that in order to try to overcome
15 those safety features, you'd need some pretty sophisticated
16 machinery or equipment to bypass or get around the security
17 that's built into our driver's licenses. Not to say that
18 someone nefarious wouldn't have access to those kind of
19 things, but I think the general public would not be able to
20 do it.

21 DEPUTY SECRETARY MYERS: The general public
22 would not be able to do it. I can't sit here and say that
23 there's never a fraudulent product put out there. It
24 certainly has happened. And of course, that's where law
25 enforcement comes in to address those types of situations.

1 But you're correct, Mr. Chairman. There are
2 extensive amounts of sophisticated equipment someone needs to
3 be able to produce a driver's license of the quality and
4 security that exists within the Pennsylvania driver's
5 license.

6 MAJORITY CHAIRMAN HENNESSEY: On a different
7 tact here, back in early 2000s, up until I think 2009, way
8 back in the Rendell Administration, the law was -- we were
9 not having this problem. Actually, licenses, I think, were
10 being issued and then it stopped in 2009. I think all as a
11 result of the concerns that people had over the 9/11 attacks
12 back in 2001. It was a rather intense decade in terms of
13 concern for these kinds of situations.

14 But do you remember what triggered the change
15 in 2009 or thereabouts?

16 DEPUTY SECRETARY MYERS: I do. It's one of
17 the advantages of being around for a long period of time, so
18 I have that history.

19 MAJORITY CHAIRMAN HENNESSEY: Institutional
20 knowledge.

21 DEPUTY SECRETARY MYERS: Institutional
22 knowledge, yes.

23 MAJORITY CHAIRMAN HENNESSEY: Good memory. Go
24 ahead.

25 DEPUTY SECRETARY MYERS: Before 2002, which is

1 the time period that the legal presence law was passed -- and
2 of course, the intent of that from the general assembly was
3 to address the events of 9/11 which happened in 2001 as we
4 all remember. And that was primarily because of the fact
5 that the terrorists that utilized those airplanes for the
6 destruction that they brought, had fraudulent driver's
7 licenses, not issued by Pennsylvania, I would note. Issued
8 by some other states.

9 But frankly, you know, interestingly enough,
10 although they had fraudulent driver's licenses, the bottom
11 line is that they also had passports from other countries
12 that they could have utilized to get on these planes as well.
13 So the driver's license itself was not the specific issue
14 there, but it did bring about the requirements for the legal
15 presence law that was passed in 2002.

16 Now before that period of time, there has
17 always been a requirement to have a Social Security number
18 submitted to the department. When I say "always," at least
19 within my memory going back. But prior to 2002, we didn't
20 verify the number. So you could submit a TIN number to us,
21 you could submit a Social Security number to us and we
22 wouldn't know the difference between the two because we had
23 no way to verify that number.

24 After 2002, because of the lawful presence law
25 that was passed, we began a process to verify all of the

1 Social Security numbers we had on our database. And that
2 took a number of years to do. You can imagine. We have 10.1
3 million driver's licenses and ID cards issued. So it's a
4 process to be able to go through and verify those.

5 And it's not just, "It's a good number, it's a
6 bad number," it's a matter of looking at it and then saying,
7 "All right, fine, what are the supporting documents to that?
8 Did we make a typo? Is it something as simple as that, where
9 the wrong number was typed in?"

10 And so there was a validation process that
11 went through that was essentially, if I recall correctly, it
12 was completed around 2009, on that verification of all those
13 Social Security numbers.

14 MAJORITY CHAIRMAN HENNESSEY: Okay. Thank
15 you. Thanks for that information.

16 The next question is from Representative Doyle
17 Heffley.

18 REPRESENTATIVE HEFFLEY: Thank you,
19 Mr. Chairman.

20 Thank you for being here today to testify.

21 The question that I have is if someone comes
22 to this country legally at any given point and they have a
23 legal driver's license in their home country, can they drive
24 a vehicle on the roads in the United States?

25 DEPUTY SECRETARY MYERS: Yes, they can.

1 REPRESENTATIVE HEFFLEY: Okay. So if they
2 come here legally and they have a valid driver's license,
3 they can drive for up to -- what is it -- for up to a year or
4 as long as they're here legally present?

5 DEPUTY SECRETARY MYERS: If you have a
6 driver's license -- let me say this -- if you have a driver's
7 license, you come to this country, you're legally allowed to
8 drive. We encourage people to get the document that helps to
9 interpret that driver's license if it's in another language
10 other than English, just as you would if you went to, you
11 know, Spain as an example. You would take a document with
12 you that would show a translation of what your Pennsylvania
13 driver's license says.

14 So, yes. To answer your question, yes, you
15 can drive with an out-of-country driver's license for a
16 period of time. Now there is a point where you would need to
17 transfer that over to that Pennsylvania driver's license.

18 REPRESENTATIVE HEFFLEY: If somebody had lost
19 their ability to drive, say had a DUI or anything like
20 that -- from my understanding, if you go into Canada, if
21 you're a commercial driver and go into Canada and you've ever
22 had a DUI on your license, you cannot drive in Canada. Is
23 that -- I think that was the status at one point. I don't
24 know if that changed.

25 So again, if somebody loses their license,

1 maybe they have a hit and run or, you know, several driving
2 violations in another country, they lose their license, they
3 are not eligible to drive and they come here with that
4 license and they're driving on the roads, do we verify that
5 that person is not eligible to drive because maybe their
6 license is suspended in their home country, however they came
7 here?

8 DEPUTY SECRETARY MYERS: In the case, except
9 for -- I believe it's four countries, four countries we have
10 reciprocity agreements with. Those four countries are
11 Germany, France, Taiwan -- oh, excuse me, South Korea. If
12 individuals from those countries come to Pennsylvania, we
13 have a reciprocity agreement where we will accept their
14 license in exchange for --

15 REPRESENTATIVE HEFFLEY: So if somebody comes
16 here -- if somebody has a, you know, is coming here and
17 they're going to work, they have permission to come into the
18 country, they're going to work on a farm and they have a
19 valid driver's license in their home country, they can drive
20 a vehicle in this country.

21 DEPUTY SECRETARY MYERS: They can for a period
22 of time. That's correct.

23 REPRESENTATIVE HEFFLEY: Yeah, for a period of
24 time, as long as they're here legally.

25 And it's up to, what? Is it a year that they

1 have? Is it a year that they can use that?

2 And if you're here legally, you could still
3 be -- you could have dual citizenship or whatever and get a
4 valid driver's license. But the thing is legal --

5 So my question is, if somebody comes here and
6 they apply to PennDOT to get a driver's license, how do we
7 know who they are? If they are here illegally, how do we
8 know who they are? How do we know if they've had five DUIs
9 in their home country? How do we know if they've escaped
10 from prison? How do we know who they are? How do we verify
11 who they are and say that they can get a license? I mean,
12 they can pass the test, but how do we know who they are?

13 Because it's -- look, I mean, people come to
14 my office and they've had their driver's license suspended
15 five, sometimes ten years for accidents or different
16 violations, and they're not eligible to drive. Driving is a
17 privilege, it's not a right in this country. It's a
18 privilege, and we need to keep our highways safe.

19 So while I'm very sympathetic. I appreciate
20 that people want to come to our country, but I think the
21 federal government needs to finally address this. I'm very
22 concerned that -- how do we verify who anybody is if we don't
23 know who they are to get a driver's license?

24 DEPUTY SECRETARY MYERS: Well, first of all, I
25 think my response would be is that we have a legal presence

1 law in Pennsylvania today, so we are verifying all those
2 documentations that people are giving us today. With this
3 legislation, obviously, there would be some changes as to
4 what documents we would take for the purposes of having
5 somebody qualify for taking the skills test, taking the
6 knowledge test, and that process. But I don't believe that
7 those are insurmountable barriers to being able to move
8 forward with this legislation. I think we can --

9 REPRESENTATIVE HEFFLEY: Look, right now, if
10 you come here legally, you can drive. We're talking about
11 people that have come here not through the legal process.

12 So my question is what is the difference? If
13 you are legal, you can drive already. So this would be, to
14 set up for somebody who is undocumented, correct?

15 DEPUTY SECRETARY MYERS: This is an
16 undocumented resident to be able to get a Pennsylvania
17 driver's license. There's nothing that keeps -- even
18 somebody --

19 REPRESENTATIVE HEFFLEY: But when I go get my
20 driver's license --

21 DEPUTY SECRETARY MYERS: May I finish?

22 REPRESENTATIVE HEFFLEY: (Inaudible.)

23 MAJORITY CHAIRMAN HENNESSEY: Doyle, Doyle,
24 Doyle?

25 REPRESENTATIVE HEFFLEY: If I can just ask --

1 MAJORITY CHAIRMAN HENNESSEY: Doyle, can you
2 let him answer the question and then follow up.

3 REPRESENTATIVE HEFFLEY: All right. Go ahead.

4 DEPUTY SECRETARY MYERS: I would simply like
5 to finish by stating that an individual who comes here and is
6 undocumented and has a driver's license from another country
7 can drive. There's nothing that keeps them from driving with
8 that license from another country even if they're here
9 undocumented.

10 REPRESENTATIVE HEFFLEY: Yeah, if they get
11 pulled over, they would have a driver's license, correct?

12 DEPUTY SECRETARY MYERS: Correct.

13 REPRESENTATIVE HEFFLEY: And they could be
14 asked on their status if they're here, why they're here, why
15 they're not here.

16 My question is, I mean, we have -- right now
17 we're coming out of a pandemic. We have people who are
18 pushing to have a -- and right now they're having a press
19 conference in Philadelphia that they want a vaccine
20 verification to go into a restaurant or wear a mask or kids
21 can't go to college without a vaccine passport now. But yet
22 we're talking about giving special privileges, special
23 privileges, above and beyond what Pennsylvania residents are.

24 So when I go get my driver's license, I have
25 to take my birth certificate, got to take my Social Security

1 card, I have to take two forms of ID, and I'm a state
2 legislator. I have to show ID when I come in here to the
3 Capitol. And we make the residents of this state jump
4 through all kinds of hoops, having proof of insurance,
5 registration, and PennDOT is a total train wreck now because
6 nobody is in the office fixing these things, so that's
7 another subject. But we make it so difficult for our
8 residents, but at the same time, now you want to give special
9 privileges to people who are here illegally. But if they're
10 here legally, they can drive. That's just my point.

11 So I'm very sympathetic, and I appreciate the
12 fact that people want to come here and work, because we need
13 people in this country who want to work, but I just think
14 we're going down a rabbit hole here.

15 DEPUTY SECRETARY MYERS: Well, Representative,
16 I respectfully disagree with your characterization, not only
17 of PennDOT, but also of the processes.

18 I'll be happy, at some point in time, to
19 explain them in more detail to you.

20 REPRESENTATIVE HEFFLEY: Come to my office and
21 talk to the people that come in there every day and talk
22 about how long they're waiting right now to get their stuff
23 taken care of at PennDOT. It really is ridiculous.

24 DEPUTY SECRETARY MYERS: I understand your
25 position, and I disagree with it.

1 MAJORITY CHAIRMAN HENNESSEY: I'll just, you
2 know, not to agree or disagree with that particular point,
3 but I can tell you the people who come to my office are
4 having trouble, not with PennDOT, but with Labor and Industry
5 and especially the unemployment comp system.

6 Representative Kinsey.

7 REPRESENTATIVE KINSEY: Thank you,
8 Mr. Chairman.

9 And Secretary Myers, I want to thank you and
10 Secretary Cook for being here.

11 I want to go off track for one second. As I
12 listened to my good friend and colleague just go through with
13 this line of questioning, I think it's important that we all
14 understand, you did share that there's a legal presence
15 requirement. Can you explain what that legal presence
16 requirement is to some extent for those of us who may not
17 necessarily be totally aware of that?

18 DEPUTY SECRETARY MYERS: Absolutely. Thank
19 you for the question.

20 Legal presence just simply means that the
21 department is required, before we issue a driver's license or
22 an identification card, to prove that the individual is
23 legally present in the United States. And that can happen
24 two ways: One, if you're born in the United States, you have
25 a birth certificate that you can present to the department,

1 and/or we will accept a current U.S. passport as verification
2 that you are legally present.

3 When we talk about the documents that we ask
4 for, we also ask for the Social Security card, that's a
5 requirement within the Vehicle Code that we verify the Social
6 Security number. And then in addition to that, we also
7 require two forms of address verification so that you can
8 validate that you actually do have a residence in
9 Pennsylvania.

10 If you are here from another country, we
11 require you to present INS documents to us. Then those
12 documents, in all of those case -- Social Security number as
13 well as a U.S. passport, and in addition to that, the INS
14 documents -- we also, not only do we look at those documents
15 for authenticity, but then we also cross-verify those with
16 the federal agencies to validate that they are on the
17 records.

18 REPRESENTATIVE KINSEY: So just to be clear,
19 PennDOT does have a process in place, whether you are a
20 United States citizen or someone who's coming abroad, there
21 is a process in place at PennDOT for any and every individual
22 who's applying for a driver's license. I just want to be
23 clear about that. We don't look at it as special privileges,
24 but we look at it as a process that any individual would go
25 through if they're applying for a driver's license. Is

1 that --

2 DEPUTY SECRETARY MYERS: That is correct. And
3 I think from the standpoint of my reading of the legislation,
4 it just simply expands the ability for us to be able to issue
5 driver's licenses to individuals who qualify who today are
6 restricted from being able to get that driver's license,
7 which again goes to undermining highway safety if those
8 individuals haven't had the skills test, the knowledge test,
9 all those things, and are out driving without that
10 background.

11 REPRESENTATIVE KINSEY: Great. Thank you,
12 Secretary Myers.

13 And, Secretary Cook, I just want to jump to
14 part of your testimony. You mentioned that as of 2021,
15 Pennsylvania's agriculture is an \$81 billion industry. Is
16 that pretty much one of the largest industries here in the
17 state of Pennsylvania?

18 DEPUTY SECRETARY COOK: It's among the
19 largest, yes.

20 REPRESENTATIVE KINSEY: Do we have any type of
21 ideal in regards to -- and I recognize this is an industry --
22 I heard folks talk about the mushroom farms and so forth.
23 And I think you shared about how this pandemic had impacted
24 that industry all across Pennsylvania.

25 Do we have any type of document or data that

1 would show maybe the number of noncitizens or undocumented
2 individuals that work in that industry? Do we have any data
3 that might show the impact that -- you know, if we don't have
4 workers working there -- I mean, I know that it's an
5 \$81 billion industry. But, you know, again, if folks were
6 not able to continue to work in that industry, my assumption
7 would be that that industry would see -- would definitely see
8 a shortfall in regards to the revenue that it produces for
9 the state of Pennsylvania. Do we have any idea of what that
10 might look like if those folks, be them noncitizens or
11 undocumented individuals who currently work there, do we know
12 what that might look like if those individuals were not able
13 to continue to work?

14 DEPUTY SECRETARY COOK: Well, there's a few
15 thoughts here. One would be that the Department of Labor and
16 Industry could give you more concrete details than I can as
17 to exactly how many H-2A visas have been issued in
18 Pennsylvania and what that direct impact would be. The U.S.
19 Department of Agriculture does a census of agriculture every
20 five years, and they're starting to gather data now for the
21 next one.

22 REPRESENTATIVE KINSEY: Great.

23 DEPUTY SECRETARY COOK: So we will be able to
24 at least see information on payroll. Because of the migrant
25 and seasonal nature of the farm labor force, in order to

1 avoid duplication and counting the same folks over and
2 over --

3 REPRESENTATIVE KINSEY: Sure, sure.

4 DEPUTY SECRETARY COOK: -- as they travel from
5 place to place, USDA looks more at total payroll than they do
6 at total workers.

7 REPRESENTATIVE KINSEY: Great.

8 And, Mr. Chairman, I just want to conclude
9 with one question. And this question is, I think, Secretary
10 Cook, in your testimony you mentioned how in our neighboring
11 states, New York, New Jersey, Maryland, and Delaware have all
12 passed legislation. And I think you went on to mention four
13 other states that -- Vermont, California, Illinois, and
14 Virginia as well --

15 DEPUTY SECRETARY COOK: There's over a dozen
16 in total at this point.

17 REPRESENTATIVE KINSEY: Over a dozen in total?
18 Are we seeing a trend towards other states looking at similar
19 legislation that Pennsylvania, that my colleagues have
20 brought up? Are we seeing a trend towards, you know, keeping
21 this industry -- and I'm talking about the agricultural
22 industry -- thriving? Are we seeing other states, as well,
23 looking towards similar type of legislation?

24 DEPUTY SECRETARY COOK: The point has already
25 been raised that we need the federal government to assist us

1 in reforming immigration. But, yes, every state's
2 agricultural sector is struggling with getting enough labor.
3 And I think you'll see that most of the states that have
4 these kinds of laws have gotten them within the last five
5 years.

6 REPRESENTATIVE KINSEY: And as you mentioned,
7 we need the federal government's support. So we're saying,
8 for us here in the state of Pennsylvania, I know Secretary
9 Myers said that the department is open and I believe that
10 you're saying that the Department of Agriculture is also open
11 towards working with the legislature to maybe look at
12 legislation that can help. Is that the sense I'm getting?

13 DEPUTY SECRETARY COOK: Yes.

14 REPRESENTATIVE KINSEY: I want to thank you
15 both for being here this morning. Thank you for your
16 testimony.

17 Thank you, Mr. Chairman.

18 MAJORITY CHAIRMAN HENNESSEY: Thank you,
19 Steve.

20 Let me see, next joining us virtually is
21 Representative Rosemary Brown.

22 Rosemary?

23 REPRESENTATIVE BROWN: Thank you,
24 Mr. Chairman.

25 And thank you all for your testimony today.

1 And I think just adding on to Representative
2 Kinsey's comments and a little bit more on the agricultural
3 end and some of the needs that were brought up in some of the
4 testimony -- and I think I'm looking for a point of
5 clarification just to make sure that I'm understanding this
6 the right way.

7 So from what I took from the testimony, that
8 the federal government, the federal law requires for REAL ID
9 and for CDL licenses a legal documentation, but us as the
10 state can issue a state license for undocumented without any
11 sort of federal law interference, correct?

12 DEPUTY SECRETARY MYERS: That is correct.

13 REPRESENTATIVE BROWN: Okay.

14 So my thought process going with that mode is
15 as we talk about the agriculture and the need for that farm
16 labor force is wouldn't most farm equipment that we're
17 talking about going on state roads and, you know, crossing
18 through state roads be CDL sort of equipment and licenses
19 that are needed? And then wouldn't that be -- if I'm
20 understanding this correctly -- by us issuing a state
21 license, would really not be helpful in that situation?

22 DEPUTY SECRETARY MYERS: Most agricultural
23 equipment, I understand it does not require a CDL to be able
24 to be operated.

25 REPRESENTATIVE BROWN: Okay.

1 That's where, I think, I just want some
2 clarification. You know, some of the quick research that
3 I've looked at is, I guess it depends on the weight of the
4 equipment and some of the parameters. I just want to get a
5 little bit more on that, if we can, just to see as we talk
6 about the different sectors and what the benefits are of
7 doing this type of licensing and we talk about the
8 agricultural world, for that piece of traveling on state
9 roads, you know, from farm to farm or wherever we need to
10 move this equipment, would it be CDL licenses needed in order
11 for that to occur.

12 So if anybody has any additional information
13 on that as we move forward, just for clarification to be
14 sure, that would be appreciated.

15 Thank you.

16 MAJORITY CHAIRMAN HENNESSEY: Thank you,
17 Representative Brown.

18 Representative Kyle Mullins.

19 REPRESENTATIVE MULLINS: Thank you very much,
20 Mr. Chairman.

21 And thank you to everyone who is attending
22 today, especially -- I see we have some young kids in the
23 house. And as a father of young kids, I know road trips take
24 a lot of patience, but House hearings take even more, so
25 you're doing great. And thank you for being part of the

1 process, and I hope we, in somehow, someway can make you
2 proud for having come here today.

3 And thank you, Madam and Mr. Secretary, for
4 your testimony and providing clarification.

5 I think -- I have a question, but it's also
6 important, I think, to just make an observation or a
7 clarification.

8 Am I correct that, currently, individuals --
9 in lieu of this law, there are individuals driving without
10 any sort of documentation, right? That this would -- the
11 argument could be made loud and clear that this increases
12 security, could aid in law enforcement's ability to
13 credential individuals as they would if anyone were to get
14 pulled over or have to present any sort of identification for
15 any reason. Is that correct?

16 DEPUTY SECRETARY MYERS: Representative, you
17 have good people who are making untellable (sic) decisions
18 because they have to. And under those circumstances, why not
19 give them the opportunity to be able to get a driver's
20 license so they can operate the vehicle safely on the
21 highway? That's --

22 REPRESENTATIVE MULLINS: On that vein, on that
23 same vein, we -- remember, the language of legislation is far
24 more important than the noise that's created out there.
25 Remember that. This allows an individual to submit, an

1 individual taxpayer, an individual taxpayer identification
2 number that is an official document, that is people paying
3 taxes, that pay my salary, that pay your salary, that pave
4 the roads and would ultimately produce these licenses. Let's
5 not forget about this, okay? So that's an important
6 observation here.

7 My colleague earlier mentioned the hoops that
8 have to be jumped through to apply for and obtain a regular
9 license. I would argue that there is also an important hoop
10 to obtain in gaining an individual taxpayer identification
11 number proof.

12 And then finally, you know, I think, you know,
13 the reference or suggestion was made that this would
14 individuals to come here illegally. I just -- I don't think
15 that the privilege of driving on our immaculate road network
16 is incentive enough to come here illegally.

17 So I'm sure you caught my irony, but again, I
18 think these are important observations to be made, that
19 people aren't coming to Pennsylvania or anywhere illegally
20 simply to have a little piece of plastic with their
21 identification on. So let's bear that in mind.

22 Thank you very much, Mr. Chairman.

23 MAJORITY CHAIRMAN HENNESSEY: Thank you, Kyle.
24 Representative Hohenstein.

25 REPRESENTATIVE HOHENSTEIN: Thank you,

1 Chairman.

2 And I also want to thank both secretaries,
3 deputy secretaries, for coming today. Definitely appreciate
4 your participation and the administration's position on this
5 bill.

6 One thing I want to make sure we're calling
7 out -- because, Secretary Myers, you mentioned the impact on
8 insurance or having insured drivers, and I would note that
9 even when folks come with international driving privileges,
10 they won't be insured in the state of Pennsylvania even if
11 they might be lawfully driving.

12 And we do have a letter from one of our
13 district attorneys from the Delco, District Attorney Jack
14 Stollsteimer, essentially saying that if we had more people
15 with documentation, that makes us all safer.

16 But I was wondering if you could comment on
17 both the safety and also any economic impact that comes with
18 making sure we have more licensed drivers as opposed to
19 unlicensed drivers and what impact that has on the people who
20 are currently out there driving with the driving license, you
21 know, regular driving licenses and paying regular insurance
22 rates.

23 DEPUTY SECRETARY MYERS: Right. That's a
24 great question, Representative. And it really deals with the
25 uninsured motorists. And fortunately in Pennsylvania, our

1 uninsured motorists numbers are lower than many other states,
2 but we still have uninsured motorists. And when you have an
3 uninsured motorist and there is an accident that occurs, it
4 costs everyone who has insurance more money because that
5 money has to be sent somewhere for someone to pay.

6 So having uninsured motorists and then
7 individuals being involved in accidents costs every resident
8 of Pennsylvania. And so the more individuals that are
9 driving with a legal driver's license issued by Pennsylvania,
10 going through the process, the greater chance that we have
11 that those individuals will also not only have insurance, but
12 will also have their vehicles inspected, which is a safety
13 concern, and for those areas that have an emissions test,
14 also having an emissions test because at the end of the day,
15 too, obviously the quality of our air is obviously very, very
16 important as well.

17 So those are social benefits in having
18 individuals be able to get a driver's license. Obviously,
19 there is the fee that PennDOT collects, which is revenue to
20 the Motor License Fund. That certainly, in this case, we're
21 talking, you know, potentially 160,000 individuals that would
22 qualify for this. I don't know -- Representative Hennessey
23 you had shared that number. I don't know how many of those
24 individuals are 16 and a half years old or older. So there
25 would probably be some subset of that 160,000, I would

1 assume, that would actually qualify because obviously that
2 standard would be a requirement, that you meet that age and
3 go through your six months of training, and then have the
4 opportunity to be able to take your skills test.

5 So I think the benefit list is very, very
6 long. And it is something that can be done. As I said
7 earlier on when we started this conversation, PennDOT is
8 ready, willing, and able to work with the general assembly to
9 come out with language that is a common sense approach to
10 making this work and addressing the concerns that individuals
11 have. And I think we can make that happen.

12 REPRESENTATIVE HOHENSTEIN: Thank you.

13 I have one brief question also for Secretary
14 Cook. And again, I want to note that our written testimony
15 does include a support letter coming from the Pennsylvania
16 Farm Bureau. So we're not just talking about the agency
17 here; we are also talking about the trade association. The
18 Farm Bureau being one of our most important constituencies
19 when we look at what we've got to do here in Pennsylvania.

20 And I just want to ask, when we're talking
21 about the people who are doing the farm work, and again,
22 being able to assess, are they people who are here and they
23 are the only ones here or are they here and they have family?
24 Are the family, you know, U.S. citizens or not? What's the
25 situation for the individual workers that we're looking at

1 trying to recognize and protect along with protecting the
2 rest of us? Is it just a situation where you're talking
3 about a whole bunch of just undocumented people -- or what is
4 that next -- you know, in the workforce and in those
5 families?

6 DEPUTY SECRETARY COOK: It is a mix, as you
7 suggest. And I'm afraid I can't give you hard and fast
8 numbers today, though I'd be happy to get you more
9 information after this. You need to distinguish an industry
10 like mushrooms, where there's a whole season-long opportunity
11 to stay in the same place or the dairy industry, where
12 increasingly we're relying on immigrant workers to come help
13 with what is a daily task of milking cows, compared to this
14 truly short season of planting and harvesting activities and
15 then you move on to the next location. There are families
16 doing that, as well, of course. But you'll see more, you
17 know, individual workers in those kinds of settings.

18 REPRESENTATIVE HOHENSTEIN: All right.

19 Thank you, Mr. Chairman.

20 MAJORITY CHAIRMAN HENNESSEY: Thank you.

21 We have Representative Meghan Schroeder who
22 joins us virtually.

23 Good morning, Meghan.

24 REPRESENTATIVE SCHROEDER: Good morning,
25 Chairman and the committee.

1 I had a question regarding -- in the bill --
2 Section K1. It lists all these different things about
3 privacy and confidentiality with issuing a standard driver's
4 license and photo ID.

5 So it says, like, "place of employment,
6 school, or educational institution attended." Would this
7 be --

8 MAJORITY CHAIRMAN HENNESSEY: Meghan, excuse
9 me, can you tell us where in the bill you're looking at? I
10 didn't catch it.

11 REPRESENTATIVE SCHROEDER: It's (inaudible).

12 MAJORITY CHAIRMAN HENNESSEY: Page --

13 REPRESENTATIVE SCHROEDER: So, you know what,
14 I just (inaudible) my bill. Hold on.

15 MAJORITY CHAIRMAN HENNESSEY: Okay. Thank
16 you.

17 REPRESENTATIVE SCHROEDER: Yeah, I think
18 that's right.

19 Under "privacy and confidentiality standards
20 for issued driver's licenses and photo ID cards."

21 Did you find it?

22 MAJORITY CHAIRMAN HENNESSEY: I did, yes.
23 Thank you. Go ahead.

24 REPRESENTATIVE SCHROEDER: It lists a bunch of
25 different things. And, you know, "place of employment,

1 school or educational institution attended, customer
2 identification card with a public utilities account," are
3 these things that would be put on the form as identifiers for
4 the undocumented individual to apply? Like, why "school
5 attended"? We don't do that now.

6 MAJORITY CHAIRMAN HENNESSEY: I'm sorry, who
7 are you directing your question to, Meghan?

8 REPRESENTATIVE SCHROEDER: (Inaudible) PennDOT
9 or a representative from Transportation.

10 DEPUTY SECRETARY MYERS: I don't really think
11 I have the ability to answer that specific question. I would
12 really turn to the members who have constructed the language.

13 With that said, I also want to be clear that
14 obviously there are a lot of processes and procedures once
15 this legislation is in place that we're going to have to
16 develop from a standpoint of being able to deploy a program.
17 And I would think, at least, in all of this language that
18 there would continue to be discussions in relation to
19 delaying the specific language that is contained in here, so
20 again, that we can, to the degree possible, meet the
21 expectations of everyone's expectations moving forward for
22 the issuance of driver's licenses.

23 REPRESENTATIVE SCHROEDER: Okay. And maybe
24 the maker, then, can go in more detail of why they included
25 that. I don't know, maybe they copied it from another state.

1 But also with that --

2 MAJORITY CHAIRMAN HENNESSEY: Meghan,
3 Representative Burgos wanted to see if he could also address
4 your question.

5 Go ahead.

6 REPRESENTATIVE SCHROEDER: Thank you. Sorry,
7 we can't see you from our view.

8 Thank you, Representative.

9 REPRESENTATIVE BURGOS: Thank you,
10 Representative. Hope you're having a safe summer.

11 So this is actually protecting not just
12 undocumented individuals looking for -- applying for a
13 driver's license, it's asking for protection from preventing
14 government to sharing this information, this set of
15 information, with any third party or basically selling
16 people's information, private citizens' information, not just
17 undocumented, but everyone in the state.

18 REPRESENTATIVE SCHROEDER: Okay. Thank you
19 for clarifying that.

20 And then would it be like you're looking for
21 it to be a four-year license, same fee to apply, same driving
22 test component, all those things, right?

23 REPRESENTATIVE BURGOS: Yes, Representative.

24 REPRESENTATIVE SCHROEDER: Okay. Just wanted
25 to clarify that I understand. But I know that I have some

1 advocates there from my district today that are there for the
2 bill and received many e-mails on this from all over the
3 spectrum.

4 But also, do we have any data on, like -- I
5 know a lot of times the concern was, you know, a hit-and-run
6 situation, do we have data on any of that, any traffic
7 violations that we have collected, maybe, I don't know, in
8 the past five years, has it increased, decreased, these
9 violations?

10 DEPUTY SECRETARY MYERS: That would be a
11 question better --

12 REPRESENTATIVE SCHROEDER: Those that are
13 involved --

14 DEPUTY SECRETARY MYERS: That would be a
15 question better answered by law enforcement, PSP. I think
16 they would probably have that data.

17 REPRESENTATIVE SCHROEDER: Transportation
18 doesn't collect that data?

19 DEPUTY SECRETARY MYERS: AOPC.

20 REPRESENTATIVE SCHROEDER: Okay. All right.

21 Thank you, Chairman. That's all my questions.

22 MAJORITY CHAIRMAN HENNESSEY: Thank you,
23 Meghan.

24 I don't see anybody else seeking attention
25 here.

1 Secretary Cook, I recall reading in my
2 research that the community or the population we're talking
3 about contributing hundreds of millions of dollars in
4 Pennsylvania taxes and taxes to the United States government.
5 Do you have any numbers to give us the size of that, even an
6 estimation? And I'm not going to hold you to any particular
7 number. But at least could you verify that we are talking
8 substantial amounts of taxes being paid by this community to
9 the feds and to the state of Pennsylvania?

10 DEPUTY SECRETARY COOK: I'm willing to say
11 it's substantial, but let me get you a better number than
12 that for the record.

13 MAJORITY CHAIRMAN HENNESSEY: Okay.

14 And secondly, like everything else in
15 government in the last year, I've read that H-2A visas are
16 being very, very slowly rolled out by the federal government.
17 And that's a particular problem when we're talking about the
18 produce industry because produce ripens and then it goes bad.

19 DEPUTY SECRETARY COOK: Right.

20 MAJORITY CHAIRMAN HENNESSEY: And that puts a
21 lot of pressure on the orchard owners, the farm owners, the
22 mushroom factory owners to bring in whatever help they can in
23 the limited time frame. And perhaps to flout the law by
24 doing that, if necessary, to get their crops in.

25 DEPUTY SECRETARY COOK: Well, you know,

1 seasonality is what it is. And as you say, if you're
2 watching your entire season's crop --

3 MAJORITY CHAIRMAN HENNESSEY: Okay.

4 DEPUTY SECRETARY COOK: -- go to waste --

5 MAJORITY CHAIRMAN HENNESSEY: The delay in
6 issuing those visas doesn't help any, probably exacerbates
7 the problem.

8 DEPUTY SECRETARY COOK: Yes.

9 MAJORITY CHAIRMAN HENNESSEY: Secretary Myers,
10 any thought that ever happened in PennDOT with regard to not
11 issuing a driver's license, but maybe a driving privilege
12 card, something which is visually distinct from a standard
13 Pennsylvania driver's license, but still would authorize
14 these drivers in this community to utilize our roads so long
15 as they are trained, so long as they've gotten that privilege
16 card, so long as they have the insurance on the car that
17 they're driving, things like that? Something that would take
18 away some of the fears that are being circulated that, oh, my
19 God, this is going to result in all kinds of fraudulent
20 reproductions of cards that look like driver's licenses and
21 may escape notice.

22 I think it seems to me that, what I've heard,
23 is the community wants to know that if they get stopped by a
24 policeman for speeding or going through a stop sign, that
25 it's not going to have a drastic result. And a driving

1 privilege card might at least show the officer that, yes,
2 these people have passed the qualifications that the
3 legislature might set, and therefore, maybe avoid the urge to
4 say, "Oh, my God, I have to get away from this because it
5 could result in my being deported. So let me take a chance
6 that the officer got out of the car, he's coming to my car,
7 let me speed away and see if I can avoid any kind of
8 problem."

9 It seems to me that I was thinking the driving
10 privilege card might give that assurance to a driver so he
11 wouldn't make any rash, make any rash movements or steps like
12 that, and still allay the fears of the other community that
13 this is somehow going to result in a lot of fraudulent cards
14 being duplicated.

15 DEPUTY SECRETARY MYERS: As a general answer,
16 Mr. Chairman, we certainly can produce a driver privilege
17 card as well. Some other states have what they call a driver
18 privilege card.

19 MAJORITY CHAIRMAN HENNESSEY: Oh, do they?

20 DEPUTY SECRETARY MYERS: They do. Utah, I
21 believe, if I recall correctly, has a driver's privilege
22 card. Delaware, I believe, has a driver's privilege card.

23 With that said, that's based upon whatever the
24 language is that comes out of the general assembly as to, you
25 know, what approach we would take.

1 MAJORITY CHAIRMAN HENNESSEY: Okay. You have
2 the ability to do it, though?

3 DEPUTY SECRETARY MYERS: We do.

4 MAJORITY CHAIRMAN HENNESSEY: Because I think
5 I read that Delaware has a statement on its card that says,
6 "This is not valid for federal ID purposes" or some such
7 language. You have the ability to put that on a card and
8 make it distinctive?

9 DEMOCRATIC CHAIRMAN CARROLL: Yes.

10 MAJORITY CHAIRMAN HENNESSEY: Okay.

11 DEMOCRATIC CHAIRMAN CARROLL: Thanks.

12 Cheryl, thank you for being here today.

13 Obviously you're knowledgeable on subjects related to
14 agriculture, and it's apparent to me.

15 I recall a number of years ago being invited
16 to Adams County by the then and still current state
17 representative from Adams County to see what I had never seen
18 before which are apple orchards as far as the eye could see.
19 And I remember hearing the state representative from Adams
20 County telling me the challenges that the folks in Adams
21 County had with finding people to pick all those apples and
22 how important it was to the economy of Adams County and to
23 Pennsylvania.

24 And I did a little bit of homework and heard
25 more today about H-2A visas, and I'm going to give you a

1 tough question, and I'd appreciate if you just take your best
2 stab, professional stab -- and I won't hold you to it. If we
3 were in Adams County watching folks harvest the apples and we
4 saw a thousand folks there, how many of them do you think
5 would have the H-2A visa? What percentage, best guess, would
6 have that H-2A visa, which would mean they're here legally,
7 with the six-month visa? I'm guessing the percentage is not
8 100 percent.

9 DEPUTY SECRETARY COOK: I would guess that
10 you're right about that, and we've seen all kinds of things
11 in that industry to include experimentation with machinery
12 and, you know, mechanized picking, something that would shake
13 the tree so that the apples can fall out, anything to try to
14 address the labor gap.

15 DEMOCRATIC CHAIRMAN CARROLL: But if we saw a
16 thousand folks, what would be your best guess in terms of
17 percentage of folks who were there legally with an H-2A or
18 any other visa that someone might be able to garner to be
19 able to harvest the apples?

20 DEPUTY SECRETARY COOK: Well, I don't think
21 you'd see a thousand people there.

22 DEMOCRATIC CHAIRMAN CARROLL: A hundred.

23 DEPUTY SECRETARY COOK: To answer your
24 question the best that I can, it would be less than 100
25 percent, maybe half.

1 DEMOCRATIC CHAIRMAN CARROLL: Okay.

2 But clearly we have some substantial number of
3 folks that we rely on to be able to harvest crops in our
4 Commonwealth that are not here legally. And they are going
5 to have to be able to get from one part of Adams County to
6 another part of Adams County to another part of York County.
7 And, you know, I think we cannot ignore the reality of what's
8 happened on the ground. And it's a challenge because there's
9 a lot of folks that have this misconception that, you know,
10 these people are going to be here and steal jobs from folks
11 that want to work and all of that. I'm not buying that. I
12 don't know of a lot of people that want to go to Adams County
13 to pick apples that have the ability to work here at the
14 Capitol.

15 But it just seems to me that we can't put our
16 head in the sand. We have to recognize the fact that there
17 is a universe of folks that are providing a service to our ag
18 industry that, without their presence, we'd even be in more
19 dire straits.

20 And so, not a question there, obviously, for
21 you, just an observation.

22 Thank you.

23 MAJORITY CHAIRMAN HENNESSEY: Thank you very
24 much.

25 Seeing no other questions, thank you very much

1 for your testimony this morning. You're welcome to sit and
2 listen to the people who are going to follow you.

3 Our next panel is, will be Desi Burnette, the
4 statewide coordinator for MILPA, Hannah Smith Brubaker, the
5 executive director of the Pennsylvania Association of
6 Sustainable Agriculture, and Julissa Morales, the human
7 rights youth coordinator for MILPA. I hope I got everyone's
8 names pronounced correctly.

9 Okay. Let me see, Hannah Smith, I think I saw
10 you before. You're ready to testify.

11 Are the other two people here or will be back
12 in a moment?

13 (Inaudible.)

14 MAJORITY CHAIRMAN HENNESSEY: Okay. Well,
15 tell you what, Hannah, just please raise your right hand --
16 I'm sorry. Julissa Morales, she's also virtual.

17 Please raise your right hand and swear that
18 the testimony you're about to give this House Transportation
19 Committee will be the truth, the whole truth, and nothing but
20 the truth so help you God.

21 Hannah?

22 MS. SMITH-BRUBAKER: Thank you. And no
23 disrespect meant, those of us of the Mennonite tradition do
24 not swear oaths.

25 MAJORITY CHAIRMAN HENNESSEY: Okay. Do you

1 affirm?

2 MS. SMITH-BRUBAKER: Yes, I do affirm. Thank
3 you.

4 MAJORITY CHAIRMAN HENNESSEY: Okay. Thank
5 you.

6 You, Julissa?

7 MS. MORALES: Hi.

8 MAJORITY CHAIRMAN HENNESSEY: Hi.

9 MS. MORALES: Yes, I do. Apologies.

10 MAJORITY CHAIRMAN HENNESSEY: You swear that
11 you're about to give us the truth, right?

12 MS. MORALES: Yes.

13 MAJORITY CHAIRMAN HENNESSEY: Thank you. And
14 do we have the third person yet, Desi Burnette from the --

15 MS. BURNETTE: I'm here, yeah.

16 MAJORITY CHAIRMAN HENNESSEY: What?

17 MS. BURNETTE: I'm here.

18 MAJORITY CHAIRMAN HENNESSEY: Okay. What
19 about Julissa Morales?

20 MS. LAUERMANN: Julissa, can you hear us?

21 MS. MORALES: Yes, I can hear you. I swear.

22 MS. LAUERMANN: All right. Thank you.

23 MAJORITY CHAIRMAN HENNESSEY: Okay, thank you.

24

25 HANNAH SMITH-BRUBAKER, JULISSA MORALES, and

1 DESI BURNETTE, called as witnesses, being duly sworn,
2 testified as follows:

3

4 MAJORITY CHAIRMAN HENNESSEY: Desi, you might
5 as well kick off --

6 MS. BURNETTE: Absolutely.

7 MAJORITY CHAIRMAN HENNESSEY: -- this
8 testimony from this panel.

9 And I will ask all of our members to try to
10 ask concise questions. I'm probably violating that as much
11 as anybody, but we are an hour into the hearing and we have
12 the room for two more hours. But we have, you know, six or
13 seven other testifiers.

14 So, Desi, begin whenever you're ready. Thank
15 you.

16 MS. BURNETTE: Thank you so much.

17 I want to start by thanking the members of
18 this committee and Chairman Hennessey for hosting this
19 hearing today.

20 My name is Desi Burnette, and I am a statewide
21 coordinator with MILPA, the Movement of Immigrant Leaders in
22 Pennsylvania. We are a network of families who work to
23 ensure the rights of every Pennsylvanian regardless of
24 immigration status.

25 MILPA is one of twenty faiths, agriculture,

1 student, civil, and human rights organizations that form the
2 Driving Pennsylvania Forward Coalition. We call this effort
3 Driving Pennsylvania Forward because our members across every
4 county in this Commonwealth move our state forward every day
5 through their labor, through their leadership, through their
6 love for their families and neighbors, through their worship
7 and economic contributions. We are all here today in support
8 of HB 279, proposed legislation that would allow every
9 Pennsylvanian to access a driver's license regardless of
10 their immigration status.

11 We have brought together leaders across our
12 public safety sector, business sectors, faith institutions,
13 schools, and community organizations in support of this
14 effort. Together last fall we fasted and prayed for 40 days
15 for this bill. Together we have written and delivered over
16 2,000 letters in support of HB 279. And just over a month
17 ago, our children filled the halls of this Capitol building
18 to share with you-all about the places they will go when
19 their families are able to obtain a driver's license. You
20 will find that Pennsylvanians in every district of this state
21 support this common sense proposal.

22 HB 279 is not just about a driver's license;
23 it's about recognizing the basic humanity of every resident
24 of Pennsylvania.

25 This legislation is also about safety. When

1 more people driving are insured and know the basic safety
2 rules of operating a vehicle, our roads will be safer. This
3 legislation seeks to ensure the safety of the personal
4 information of every Pennsylvanian when they obtain a
5 driver's license or state ID. And this legislation will
6 provide safety to families who won't need to fear being torn
7 apart after a routine traffic stop.

8 The cities of Easton and Harrisburg, as well
9 as the Borough of Kennett Square, are part of a growing
10 number of municipalities who support this bill and recognize
11 the public safety benefit for their residents of passing this
12 legislation.

13 Between 1992 and 2002, residents of
14 Pennsylvania were able to obtain a driver's license using an
15 Individual Tax Identification Number, known as an ITIN. An
16 ITIN is a federal identifier used to pay taxes by those
17 without a Social Security number. In 2017, undocumented
18 Pennsylvanians paid \$134,872,000 in state and local taxes
19 using their ITINs.

20 Before 2002, a driver's license in our state
21 did two things: One, it was used to prove that you are the
22 person that you say you are; and two, it was used to show
23 that you know the rules of the road and have permission to
24 drive. That changed in 2002, and for the first time, our
25 state began inserting requirements about the immigration

1 status of our residents and began excluding those without
2 immigration status from obtaining a driver's license. The
3 impact of this restriction has meant that our roads are less
4 safe and it has meant that many in our state are further cut
5 off from meeting basic human needs.

6 HB 279 will allow residents of our state,
7 regardless of their immigration status, to obtain a
8 standard-issue driver's license using an ITIN or a tax ID
9 number, or other identifiers that prove the person's
10 identity. The current law already allows for the use of an
11 ITIN or other identifiers -- the current law already allows
12 for the use of an ITIN number or other identifiers for those
13 applying who do not have a Social Security number, and this
14 bill will simply remove the barrier for those without
15 immigration status to apply for a driver's license or a
16 state-issued ID.

17 This legislature in 2017 rightly ensured that
18 Pennsylvanians would not be forced to obtain a federal
19 REAL ID and created a two-tier licensing system. This
20 legislation would apply to the standard-issue driver's
21 license, not the federal ID driver's license. Our family
22 members will have to go through the same long lines and long
23 processes to obtain a driver's license.

24 And to your question, Chairman Hennessey, the
25 standard-issue driver's license will indicate that they are

1 not for federal purposes. That is already part of the
2 standard-issue driver's license.

3 MAJORITY CHAIRMAN HENNESSEY: (Inaudible.)

4 MS. BURNETTE: I can say more after the
5 testimony on that. But, yeah, Delaware did things a little
6 different, which I can explain in a second.

7 The proposal also seeks to secure the personal
8 information and data of Pennsylvanians who provide our
9 information to PennDOT. It would allow searches and sharing
10 of our personal information only with a criminal warrant or
11 with our consent.

12 The urgency of passing this bill increased in
13 2020 as communities across the Commonwealth faced the health
14 and economic impact of COVID-19. All of the key frontline
15 industries, including agriculture, grocery, packing,
16 warehouse, restaurants, and energy have a significant
17 percentage of their workforce that lack access to a driver's
18 license.

19 In some parts of the state during the
20 pandemic, essential workers were provided printed letters
21 with the company letterhead declaring that they were
22 essential workers so that they could go to and from their
23 lifesaving jobs. This is flimsy protection for the people
24 we've depended on throughout this crisis and before. We need
25 driver's licenses for all of our workers, families, and

1 eligible residents.

2 Dones Mene (phonetic) is a member of MILPA in
3 Franklin County who starts work every day at 2 a.m. milking
4 cows and providing our state with milk. He is one of
5 millions who never stopped working. He is constantly being
6 thanked for his work and his service, and I know that if he
7 were here today in front of this committee, he would say that
8 he doesn't want thanks. He would want you to know that he
9 needs action and your vote in support of HB 279. Putting
10 food on the table, getting our children and ourselves around
11 our community safely, protection from detention and family
12 separation, and accessing vital health-care services are all
13 fundamental needs and human rights that can be accessed with
14 a driver's license.

15 We urge this committee to support HB 279 for
16 the well-being of our families and for the safety of our
17 communities. We invite questions from this committee. Thank
18 you for your time.

19 MAJORITY CHAIRMAN HENNESSEY: Thank you.

20 You've indicated that it was in 2017 -- I
21 think it bears repeating -- in 2017, undocumented
22 Pennsylvanians paid 134 million in state and local taxes --
23 not to the federal government, but to the state and local --
24 \$134 million worth of local taxes --

25 MS. BURNETTE: That's correct.

1 MAJORITY CHAIRMAN HENNESSEY: -- and state
2 taxes. So thanks for confirming. I knew I had read it
3 somewhere.

4 MS. BURNETTE: Yeah.

5 MAJORITY CHAIRMAN HENNESSEY: Now I know
6 where.

7 Next -- and again, we'll hold questions until
8 the other testifiers on the panel have testified.

9 Our next testifier is Hannah Smith-Brubaker,
10 who is the executive director of Pennsylvania Association of
11 Sustainable Agriculture.

12 Hannah, you can begin whenever you're ready.

13 MS. SMITH-BRUBAKER: Thank you.

14 I, first and foremost, farm in rural
15 Pennsylvania. My children, should they choose to come back
16 to the farm after college, would actually be 12th generation
17 to farm since their Mennonite ancestors settled in Juniata
18 County. As is the case with most farms today, one of us
19 works off-farm, and that's me, and I do serve as the
20 executive director of PASA, sustainable agriculture. We are
21 now in our 30th year, and we have over 7,500 members in the
22 Commonwealth and we function within a broader network of
23 60,000 throughout the mid-Atlantic and the northeast region.

24 PASA supports the efforts of MILPA and the
25 Driving Pennsylvania Forward Coalition to ensure access to

1 driver's licenses for all Pennsylvania residents regardless
2 of legal status.

3 According to the U.S. Department of Labor's
4 latest agricultural workers research report and the latest
5 agricultural census, the share of hired crop farm workers who
6 were not legally authorized to work in the United States grew
7 from roughly 14 percent in 1989 to, in recent years, just
8 under 50 percent. In fact, in Pennsylvania, 75 percent of
9 farm workers are foreign born, and one in two hired field
10 crop agricultural workers is undocumented. So every piece of
11 food that we eat that is sourced in Pennsylvania, half the
12 people who produce that food are undocumented.

13 MAJORITY CHAIRMAN HENNESSEY: Okay. Excuse
14 me, Hannah, you mentioned -- did you say skilled crop
15 workers?

16 MS. SMITH-BRUBAKER: Field crop workers.

17 MAJORITY CHAIRMAN HENNESSEY: I'm sorry.
18 Thank you.

19 MS. SMITH-BRUBAKER: And perhaps more relevant
20 to this discussion, more than 80 percent of hired crop farm
21 workers are not migrant workers, but are considered settled,
22 meaning that they work at a single location within 75 miles
23 of their home.

24 When the pandemic virtually shut down the
25 normal flow of agricultural goods and production last March,

1 it was only a matter of days before the Pennsylvania
2 Secretary of Agriculture, Russell Redding, declared that all
3 agricultural workers are essential. After all, we all need
4 food to live. And in a matter of a few weeks, PASA and the
5 Department of Agriculture worked on a series of guidances
6 together to keep food handling safe, to keep customers safe,
7 to keep food available safely through farm markets, direct
8 sales, and other creative arrangements, and to keep farm
9 workers themselves safe.

10 Today we are here to ask you again to keep us
11 all safe. Farm workers as well as the rest of us.
12 Regardless of the legislative members' individual position on
13 a path to citizenship, it truly does not matter in this
14 situation or other issues related to immigration. Our food
15 system is highly reliant on undocumented farm workers. In
16 fact, were we to remove all undocumented farm workers, our
17 food system would utterly collapse. If we were to work
18 towards transitioning undocumented farm workers out of the
19 food system, we literally have no one to replace them. And
20 again, regardless of your individual position, we have
21 undocumented farm workers essentially securing our food
22 system, many with children born here in the United States.

23 These families are on our roads, they're in
24 our schools, they are shopping alongside of us, and as we
25 have heard, they are paying taxes. So it is in our best

1 interest to have drivers be educated about road safety and
2 licensed to drive no matter what lies ahead for them.

3 For Pennsylvania's 52,000 farms and
4 7.3 million acres of farmland with \$83.8 billion in direct
5 economic output, 280,500 jobs, and \$10.9 billion in earnings,
6 farm workers have been steadfast for all of us through the
7 pandemic, risking their lives and their health every day to
8 keep our food production system going.

9 At PASA, we see each and every agricultural
10 worker as part of the overall fabric of farming in
11 Pennsylvania. We all depend on the crops they grow and the
12 animals they raise. It only makes sense that all of us, that
13 every person driving on our roads is doing so safely.

14 Thank you.

15 MAJORITY CHAIRMAN HENNESSEY: Thank you very
16 much for your testimony, Hannah.

17 Our next testifier is Julissa, Julissa
18 Morales. Did I get the name pronounced correctly, Julissa?

19 MS. MORALES: Yeah. Hello, everyone. My name
20 is Julissa, but it's okay.

21 MAJORITY CHAIRMAN HENNESSEY: Julissa, okay.
22 You say the "J".

23 MS. MORALES: Yeah.

24 My name is Julissa. Thank you for having me
25 here today. I am actually a longtime member of MILPA. As

1 Desi stated, we are the Movement of Immigrant Leaders of
2 Pennsylvania. We're a network of families statewide who
3 believe in the rights and respect of everyone in our
4 communities regardless of our immigration status.

5 I was actually just 12 years old when I first
6 stood on the steps of the Capitol building outside to speak
7 on the impact of my family not having access to a driver's
8 license. I'm here today, seven years later, to not only
9 speak for my family and my experience, but for all families
10 in Pennsylvania who suffer hardships due to not being able to
11 access the basic right of mobility.

12 Nearly 85,000 U.S. citizens live with at least
13 one family member who is undocumented. Many of us are young
14 people and young children. Our parents are small business
15 owners and restaurant workers who are helping recover our
16 communities after last year. They are agricultural workers,
17 as we heard, construction workers, domestic workers, and
18 stay-at-home parents who take care of us and our homes.

19 Not only does having a driver's license impact
20 our safety on the road, but not having access to a
21 state-issued ID makes (inaudible) extremely difficult. A
22 state ID is needed to gain access to some of the most basic
23 necessities. Parents need a driver's license or a state ID
24 to access the internet, enter their children's schools, and
25 doctors' appointments, or even rent tools from a hardware

1 store.

2 My family was asked to provide a state-issued
3 ID to submit a police report when my dad was a victim being
4 threatened. My parents have always tried to hide their
5 struggles in order to protect me and my mental state,
6 however, it still infuriates me that this is what they have
7 to deal with on a daily basis. My parents have given me the
8 strength and courage to be with you-all here today, and my
9 dad is actually the most hardworking person I know. He even
10 accomplished, as we like to say, his American dream. He's a
11 homeowner, he is a restaurant owner, and most importantly to
12 him, he's a father. However, he risks all of this every time
13 he drives. Our parents risk their lives, risk being
14 detained, risk being separated in order to provide for us, to
15 take us to medical appointments, grocery shopping, classes,
16 or even just leisure -- (interruption) -- my father leaves
17 the house, we just make sure to say, "ten cuidado," which in
18 English means "be careful," because we never know when --

19 MAJORITY CHAIRMAN HENNESSEY: Julissa, could
20 you back up --

21 MS. MORALES: Yeah.

22 MAJORITY CHAIRMAN HENNESSEY: -- about 30
23 seconds because you're computer froze, so we missed what you
24 said.

25 MS. MORALES: Yeah, I'll go back about two

1 sentences. Hopefully -- let me know.

2 I was speaking on my father who is the most
3 hardworking person I know, a homeowner, a restaurant owner,
4 and a father, however he risked all of that, risked losing
5 that all every time he drives. Our parents risk their lives,
6 risk being detained, risk being separated in order to provide
7 for us, to take us to medical appointments, grocery shopping,
8 classes, or even leisure activities that we like to take as a
9 family. Every time my father leaves the house, we make sure
10 to say, "ten cuidado," which means "be careful" because we
11 never know when that last trip to go get food may be the last
12 time we see him.

13 Mobility is a right and it is a necessity to
14 travel from one place to another. I have heard of countless
15 stories of how individuals have changed due to the
16 deportation of their family members which all started by a
17 routine traffic stop.

18 MAJORITY CHAIRMAN HENNESSEY: Again, your
19 computer is frozen.

20 MS. MORALES: I apologize. Can you hear me?

21 MAJORITY CHAIRMAN HENNESSEY: Yes.

22 MS. MORALES: Okay. I was speaking on the
23 children, on how no child should have to be in fear of their
24 families being separated.

25 House Bill 279 would allow our children to be

1 able to focus on their studies, find passions, and most
2 importantly, enjoy their youth. I'm one of the 85,000
3 United States citizens in Pennsylvania that live with an
4 undocumented family member. Their story matters, my story
5 matters, and my family matters as well. We're all in
6 Pennsylvania. We are all Pennsylvanians. We all contribute
7 to keep Pennsylvania moving forward, and I urge all of you,
8 please, sitting here today and all of those watching to move
9 forward together to pass House Bill 279.

10 And apologies for the technical difficulties.

11 MAJORITY CHAIRMAN HENNESSEY: Not a problem.

12 Thank you very much for your testimony.

13 (Applause.)

14 MAJORITY CHAIRMAN HENNESSEY: Julissa, I think
15 it was you who indicated 85,000 people live with an
16 undocumented person in the family here in Pennsylvania.

17 MS. MORALES: Yes.

18 MAJORITY CHAIRMAN HENNESSEY: I would think at
19 this point in time, it would mainly be older people who are
20 undocumented. Younger people having been born in the
21 United States are citizens. But earlier, I thought somebody
22 had said that the majority were undocumented children.

23 Could you clarify that for me, please?

24 MS. MORALES: Sorry, I don't know if it was
25 the internet connection, but I was referring to -- yes,

1 85,000 are undocumented; however, as you were exactly saying,
2 their children, their grandchildren are citizens, and they
3 are the ones being impacted.

4 For example, I am a citizen of the
5 United States; however, my parents are not, so they weren't
6 able to obtain a driver's license. They weren't able to take
7 me to play soccer --

8 MAJORITY CHAIRMAN HENNESSEY: Okay.

9 MS. MORALES: -- to school activities, or even
10 risk when we went to go get some groceries.

11 MAJORITY CHAIRMAN HENNESSEY: Okay. But
12 again, you clarified it. It's the older people who are the
13 undocumented ones, and the younger people are impacted as a
14 result of the older people's undocumented status.

15 MS. MORALES: Yes, in most cases.

16 MAJORITY CHAIRMAN HENNESSEY: Okay. Thank
17 you.

18 Anybody else have any questions? No?

19 (No response.)

20 MAJORITY CHAIRMAN HENNESSEY: Oh, you do. I'm
21 sorry, Mike. Go ahead.

22 DEMOCRATIC CHAIRMAN CARROLL: Not an expert on
23 federal immigration policy, but I've become familiar with the
24 term "dreamers." And my layman's understanding of that is
25 children who have been brought to the United States at a very

1 early age, in some cases, and have existed in the
2 United States since they came here. It seems to me that some
3 of those folks that might be of driving age now would not be
4 able to get a driver's license because they don't have the
5 necessary documentation.

6 Is that an accurate assessment of a dreamer's
7 ability to get a driver's license?

8 MS. BURNETTE: So it depends. If folks are
9 eligible for what's called DACA, which folks are familiar
10 with DACA -- if folks are eligible for DACA, they can get a
11 driver's license in the state of Pennsylvania. So those
12 folks who do have DACA can get a driver's license.

13 DEMOCRATIC CHAIRMAN CARROLL: But not
14 everybody who's a dreamer --

15 MS. BURNETTE: Can get DACA, correct. Right.

16 DEMOCRATIC CHAIRMAN CARROLL: That program was
17 suspended --

18 MS. BURNETTE: So not everybody -- right.
19 Right now there are no new applications. There are many
20 people who fell outside of some of the somewhat arbitrary
21 dates and requirements. So there are many people in
22 Pennsylvania who came here as children, as young people, and
23 don't have legal presence and who cannot currently get a
24 driver's license.

25 DEMOCRATIC CHAIRMAN CARROLL: So they are over

1 16 and a half years old, but they don't have the documents
2 necessary.

3 MS. BURNETTE: Yeah.

4 DEMOCRATIC CHAIRMAN CARROLL: Thank you.

5 MS. BURNETTE: Yeah.

6 MAJORITY CHAIRMAN HENNESSEY: And just to
7 follow up on that.

8 If a person was born here in the United States
9 and is now 16, they can get a driver's license without any
10 kind of qualifications because they have citizenship by
11 virtue of our Constitution and they were born in the United
12 States.

13 MS. BURNETTE: I'll let -- Julissa can say
14 something about this.

15 That is true. And also in our communities, we
16 find that it's very difficult for -- when people become 16
17 and have to go get your license, you have to have a parent
18 with a driver's license to help you get that license. There
19 is a -- well, Julissa could speak to it more. There is a way
20 that folks can get their license if their parent doesn't have
21 a driver's license, but we find in our community, many people
22 come to us saying, "My 16-year-old can drive now. I went to
23 PennDOT, and I need to get a -- they're asking me for my
24 driver's license."

25 Do you want to speak to that a little bit,

1 Julissa?

2 MS. MORALES: Yes.

3 I apologize, I don't remember the exact name
4 of the paper needed, but, for example, when I turned 16 years
5 old, I couldn't have my father take me to PennDOT to try to
6 get a driver's license because I didn't have a guardian that
7 had a driver's license or I didn't have access to a car or
8 different situations like that. So even though I was over
9 16, a United States citizen, it became extremely difficult
10 for me to obtain a driver's license, because again, my
11 parents are undocumented.

12 MAJORITY CHAIRMAN HENNESSEY: Okay. Thank you
13 for that.

14 We'll try to figure that out because it would
15 seem to me that if you're born in the United States and
16 you're 16 years old, I don't know what --

17 MS. BURNETTE: Yeah, you qualify.

18 MAJORITY CHAIRMAN HENNESSEY: -- additional
19 requirement that PennDOT would be putting in front of people
20 to --

21 MS. MORALES: A paper that needs to be
22 notarized pretty much giving permission of their parent --
23 the parent of the child is giving permission to another
24 person of taking them, of the responsibility of driving them,
25 of using their car.

1 Yeah, I apologize; I don't know the exact
2 terminology.

3 MAJORITY CHAIRMAN HENNESSEY: We'll try to
4 find that out.

5 So you're saying, as a practical matter, just
6 being 16, over the age of 16, and having been born in the
7 United States does not really give you -- it still doesn't
8 give you an easy road to just go in and get a learner's
9 permit.

10 MS. MORALES: Exactly.

11 MAJORITY CHAIRMAN HENNESSEY: Okay. Thank
12 you.

13 Yes, Representative Hohenstein.

14 REPRESENTATIVE HOHENSTEIN: Thank you again,
15 Mr. Chair.

16 I want to specifically comment for
17 Ms. Smith-Brubaker. I really appreciate your calling out how
18 much we rely on our undocumented workforce in Pennsylvania
19 and in particular with agriculture.

20 I had some brief experience after law school
21 of living and working in Adams County with those same apple
22 pickers. And so I know the different ability that people
23 have to either be part of a broader society or not and the
24 ability to move around and to be connected is really
25 important. So I appreciate that you called that out.

1 I wanted to ask both Desi and Julissa, with
2 respect to people who do have valid documentation, you
3 referenced DACA, I know that one of the immigration documents
4 that people have to use or do use are their employment
5 authorization documents. And in many situations, for people
6 with those temporary work authorization cards, their
7 expiration dates are one year, maybe if they're lucky, two
8 years, and there's also delays and problems with renewals of
9 those cards.

10 If you could speak to that, because this is
11 another issue. These are technically people within our legal
12 framework now who also face obstacles because of these annual
13 renewals of both their immigration documentation and their
14 driver's licenses. If you could speak a little bit to those
15 experiences, I'd appreciate it.

16 MS. BURNETTE: I think you summed it up that
17 folks who come with particular work visas, you know, their
18 driver's license expires with the (inaudible) and even if
19 they're in another process, another legal process or another
20 immigration process, there becomes a lot of hurdles for them
21 to continue to drive and do their -- the daily things they
22 have to do because of that.

23 MAJORITY CHAIRMAN HENNESSEY: Thank you.

24 I think --

25 MS. BURNETTE: Can I just address one other

1 thing, Chairman?

2 MAJORITY CHAIRMAN HENNESSEY: Oh, yes. Go
3 ahead.

4 MS. BURNETTE: Just in the beginning panel,
5 your questions about the driving privilege card. I want to
6 make sure to point out, which I did in my testimony, but here
7 in Pennsylvania, this legislature created a two-tiered
8 system. Many of the states that you referenced like Delaware
9 and Maryland, created -- they passed similar legislation to
10 this prior to creating a two-tiered system. And what they
11 did in a lot of other states is that they made all of their
12 residents have a federal REAL ID. This legislature fought
13 hard against that.

14 The legislature in Pennsylvania ensured that
15 everyone in the state had a choice, that you could keep your
16 standard-issue driver's license or a REAL ID. But that is
17 why there are things like a driver privilege card in Delaware
18 which is very different from our situation here.

19 And in our state, under this legislation that
20 we're proposing -- would be for a standard-issue driver's
21 license, which I mentioned before will say on it "not for
22 federal purposes." It would not be for federal REAL ID. So
23 it would be similar in look to what you're saying to
24 Delaware's driving privilege card, but we wouldn't need to
25 create a third tier, for example. We already have two tiers,

1 and we have the benefit of being able to choose in
2 Pennsylvania to keep our standard-issue driver's license.

3 MAJORITY CHAIRMAN HENNESSEY: Okay.

4 MS. BURNETTE: Yeah.

5 MAJORITY CHAIRMAN HENNESSEY: Thank you.
6 Representative Heffley.

7 REPRESENTATIVE HEFFLEY: Thank you,
8 Mr. Chairman.

9 Just to try a couple of things or wrap my head
10 around the whole issue, so we're not just talking migrant --
11 we're not just talking farm workers?

12 MS. BURNETTE: No.

13 REPRESENTATIVE HEFFLEY: This is a driver's
14 license for everybody?

15 MS. BURNETTE: Yes.

16 REPRESENTATIVE HEFFLEY: And I've worked in
17 the construction industry and a lot of jobsites, you get to
18 the jobsite and the majority of the workers are -- I don't
19 know the legal status -- but a large majority of them are
20 Latino, great workers doing an awesome job.

21 So my question is, why would you choose to
22 come here or to be in the country illegally instead of
23 applying for the H-2A to work? Because if you get the H-2A,
24 then you can get a driver's license. But why --

25 MS. BURNETTE: Thank you --

1 REPRESENTATIVE HEFFLEY: -- not apply for
2 that? Because I have never gotten a letter from the Farm
3 Bureau or anybody asking us to, you know, to ask the federal
4 government to increase those visas. Do you think there's a
5 need to increase that?

6 MS. BURNETTE: So the question as to why folks
7 don't do that is because that's not an opportunity that most
8 folks have. There are a limited number of those visas to
9 begin with. And I think there are a lot of people who have
10 been, you know, asking for those to increase. And I think,
11 you know, a lot of people who are just learning about the
12 issue often ask us, like "Why don't folks just become
13 citizens? Why don't folks do things --" you know, get a
14 (inaudible). And the answer to that is that right now there
15 is no pathway for folks who are here supporting all of our
16 industries, which you, you know, acknowledged, whether it be
17 construction or agriculture, restaurants, or domestic work.
18 But there's no pathway right now for those folks to get a
19 green card to become citizens. And that's what we at MILPA
20 would really like to see --

21 REPRESENTATIVE HEFFLEY: So most of the -- the
22 folks that we're talking about that are here, how do they get
23 here, right, in the first place? Did they come legally? Did
24 they overstay their visa? Did they get an H-2A and then not
25 follow up with it? You know, how did they get to where

1 they're at now?

2 MS. BURNETTE: There's a lot of different ways
3 that people end up being undocumented or not having a legal
4 status. Some folks do have a work visa and then, you know,
5 continue to work while they're working out other legal -- you
6 know, maybe have another petition in through a family member
7 and they will become undocumented. Some people come here
8 with visas and overstay. Some people do come across the
9 border, and there's a lot of different ways that people do
10 come here. And --

11 REPRESENTATIVE HEFFLEY: Because we're not --
12 this isn't just for migrant farm workers; we have immigrants
13 coming illegally from many ports of entrance, and human
14 trafficking, and there's a lot of issues that go along with
15 that.

16 So I guess my questions are very much -- you
17 know, we're looking at giving licenses to a lot of folks that
18 are already here illegally, and how do we verify who they
19 are? So I do have a lot of concerns with that. I'm
20 sympathetic --

21 MS. BURNETTE: I can speak to some of that,
22 Representative.

23 So if this legislation passes, what folks
24 would be asked to give -- the same exact things that your
25 constituents are asked to provide to PennDOT, they would also

1 be asked to provide those things. If they don't have a
2 Social Security number, they can provide a Tax Identification
3 Number. A Tax ID Number, which we've talked about throughout
4 this hearing, is a federal identifier. It's something that
5 the federal government gives to you to pay taxes if you don't
6 have a Social Security number.

7 To get that Tax ID Number, you already are
8 vetted by the federal government. You have to send in your
9 passport, a valid consular passport, several consular
10 identifiers to get that Tax ID Number.

11 Along with this legislation, it says that also
12 folks can use other identifiers. That's already in the law.
13 And we're asking -- you know, it already says that.

14 And many folks, as PennDOT spoke to earlier,
15 are already obtaining driver's licenses and providing
16 immigration, you know, documents that get vetted. There's a
17 process for vetting those.

18 REPRESENTATIVE HEFFLEY: So there's already a
19 process --

20 MS. BURNETTE: Yes.

21 REPRESENTATIVE HEFFLEY: -- for people that
22 are here to get a driver's license?

23 MS. BURNETTE: Yes.

24 REPRESENTATIVE HEFFLEY: But what we're doing
25 is creating -- making it a little bit easier for other folks

1 to get licenses that maybe don't, because if you already had
2 that information you just referred to, you can get a driver's
3 license.

4 MS. BURNETTE: What we're saying, what this
5 bill would do, it would simply say, to eliminate the
6 requirement for the legal presence. So folks would have to
7 give the same -- you would have to prove who you are. You
8 would have to prove all -- you would have to prove you're a
9 resident of Pennsylvania, that you have insurance, every
10 single thing that every other Pennsylvanian does. We would
11 just simply say that your immigration status has nothing to
12 do with if you can drive and if you can prove your identity.

13 REPRESENTATIVE HEFFLEY: I still have a lot of
14 concerns with that.

15 MS. BURNETTE: Sure.

16 REPRESENTATIVE HEFFLEY: And I just, you know,
17 I think a lot of these are caused by the inability of our
18 federal government to address an issue --

19 MS. BURNETTE: Absolutely.

20 REPRESENTATIVE HEFFLEY: -- and at the same
21 time, then encouraging people to, in some degree, exploit
22 that. And, you know, obviously we all came here at some
23 point. Our families came here for opportunities --

24 MS. BURNETTE: Absolutely.

25 REPRESENTATIVE HEFFLEY: -- and we need more

1 folks, like I said, that want to work. I don't go to a
2 single employer that says that they don't have good quality
3 jobs available.

4 And a little bit of background, my days in HR,
5 I recruited for a trucking company, and we had one in
6 Frederick, Maryland. It has a very large Latino population
7 in Frederick, Maryland. And I would go to all the Latino
8 festivals, and I would set up booths and recruit. Now, you
9 had to have a valid CDL driver's license, you had to prove
10 that you were a legal citizen or had -- otherwise were legal
11 to operate a vehicle like that in our state, in the state.
12 And we were able to hire some just incredible employees, just
13 great people. And it was very disheartening to see folks
14 that would come to me and they didn't have that
15 documentation. And it feels like in a lot of ways that
16 they're being exploited, being paid -- we wouldn't tolerate
17 that with anybody, any other nationality, or anybody else to
18 say, "You can come here illegally, and we're going to pay you
19 less to do work."

20 So I would definitely think that we should
21 look at ways the federal government needs to address that,
22 not the state. But at the same time, I also see the issues
23 that I have in our community, that we are in the midst of a
24 heroin epidemic, which, unfortunately, most of the heroin --
25 it is well documented -- was controlled by the Mexican drug

1 cartels and run through communities. And I'm not labeling.
2 I'm saying, it's a real issue.

3 MS. BURNETTE: I know.

4 REPRESENTATIVE HEFFLEY: And we have very high
5 overdoses, and a lot of times, people hide in the community
6 and exploit that.

7 So I think there's a lot of issues that we
8 have to address with that before I could be really
9 comfortable at doing this. But I do want to say that I'm
10 very sympathetic to migrant farm workers. But this isn't
11 just about migrant farm workers --

12 MS. BURNETTE: It is not, no --

13 REPRESENTATIVE HEFFLEY: -- this is for people
14 who come from any other country. There's a lot of people
15 being exploited from China and the Asian-Pacific area, and
16 you know, we passed a lot of bills on human trafficking. So
17 there's a lot of things to address in this, but I thank you
18 for your time.

19 MS. BURNETTE: And I would also, you know, say
20 that this bill is really going to help the concerns you have
21 because the folks in our communities are going to be able to
22 go get a license, to have an ID.

23 And as you acknowledged, you know, the
24 problems that are faced in your region which I'm familiar
25 with -- we spoke about in your office, I feel like several

1 years ago -- that those are very unrelated to our community,
2 that our community, even though we heard a lot about the
3 agricultural sector today, every single district is impacted
4 by this issue whether -- and in every industry as well.

5 You know, on June 25th, the Bloomsburg News
6 did a whole report about the mushroom industry here in
7 Pennsylvania and how crops are being -- having to be thrown
8 out because there's a labor shortage in the mushroom
9 industry, but that is impacting our restaurants. And our
10 restaurants are struggling to recover right now post-COVID.
11 That's true in your district, that's true in every district.

12 And so this is, you know -- our families, this
13 impacts our families, this impacts our industry. And I
14 appreciate you wanting to learn more about this issue.

15 And I think the last thing I will just say is
16 that our families, you know, come here out of need, like you
17 acknowledged, like your ancestors -- like my ancestors came
18 through Ellis Island -- come here out of necessity or what we
19 say in Spanish, "necesidad," you know. And they are
20 contributing to this state, and I think it's time, it is time
21 that we acknowledge that our families are here, and that we
22 create the safety that they need to thrive and sustain their
23 families.

24 But I thank you for your question,
25 Representative Heffley. And I remember the first meeting our

1 members had with you in 2013. And they came to me and they
2 said, "Go meet with Representative Heffley. He shared with
3 us about, you know, his work in trucking," and things like
4 that. So we hope that we can move you on this issue and that
5 you'll be able to support.

6 MAJORITY CHAIRMAN HENNESSEY: Thank you, Desi;
7 thank you, Hannah; thank you, Julissa, for your testimony.

8 And with that, we'll move on to the next panel
9 of testifiers.

10 The third panel of testifiers will be Coumba
11 Faye, I think, the organizer for the New Sanctuary Movement.
12 Joining us virtually will be -- from the Keystone Research
13 Center is Muhammad Maisum Murtaza, who's a research assistant
14 with Keystone; Muneeba Talukder, I think, from the
15 Immigrants' Rights, legal fellow with the ACLU; and Kyle
16 Rivers, an advocacy specialist from CASA.

17 Okay. And do we have Muhammad on virtually?

18 MR. MURTAZA: Yes, you do.

19 MAJORITY CHAIRMAN HENNESSEY: Okay.

20 As we did with all the other panels, please
21 raise your right hand and swear that the testimony you're
22 about to give this panel, this committee, the House
23 Transportation Committee, will be true and correct so help
24 you God.

25 (Affirmative answers.)

1 COUMBA FAYE, MUHAMMAD MAISUM MURTAZA, MUNEEBA
2 S. TALUKDER, and KYLE RIVERS, called as witnesses, being duly
3 sworn, testified as follows:

4

5 MAJORITY CHAIRMAN HENNESSEY: Thank you.

6 Let me see, Coumba, will you be the lead
7 speaker?

8 Go ahead.

9 MS. FAYE: Thank you, Mr. Chairman.

10 MAJORITY CHAIRMAN HENNESSEY: Sure. Please
11 speak into the mic and keep your voice up so people can hear.
12 Not just us, but we're also, you know --

13 MS. LAUERMANN: Can you click the button?

14 MAJORITY CHAIRMAN HENNESSEY: Oh, okay.

15 MS. FAYE: Thank you.

16 MAJORITY CHAIRMAN HENNESSEY: So we can pick
17 it up on PCN, as well. People watching on television --

18 MS. FAYE: Sure.

19 MAJORITY CHAIRMAN HENNESSEY: Thank you.

20 MS. FAYE: Thank you, Chairman Hennessey.

21 Thank you, everyone.

22 Good morning, ladies and gentlemen. My name
23 is Coumba Faye, and I'm with New Sanctuary Movement of
24 Philadelphia. We are an interfaith organization, and we
25 strongly believe that we cannot have the best society while

1 ignoring the well-being of each part of the society. We
2 believe that when we show love to our family, we show love to
3 God.

4 When I talk about family, I mean my neighbors,
5 my coworkers, my friends. You are part of my family, and we
6 all form a society. It is my duty to make sure that you are,
7 to make sure that your dignity is fully respected, and that
8 your humanity is recognized.

9 I am calling you to look at me with the same
10 eyes, not an (inaudible) alien. I am the neighbor who made
11 sure last time that your delivered package was not stolen. I
12 am that nice parent who was cheering for your son during the
13 football game when he failed. I am that man who held your
14 hand during prayer at the church last Sunday. I have an
15 identity.

16 As a mom, I can relate to Estella. She is a
17 member of the New Sanctuary Movement. Estella is a
18 hardworking woman, mother of three kids. She built her own
19 business, cleaning business and grocery store. One night,
20 because of a broken taillight, she was stopped by the police.
21 And due to her lack of driver's license, her car was towed
22 away, and the police left her in the street with her three
23 kids, ages three to six to thirteen years old. This happened
24 in December during a cold night with one of her children
25 being asthmatic.

1 This situation affects our children mentally
2 and psychologically. It is our duty to fight for a bright
3 future for this country. For that, we need to make sure that
4 we have a strong and educated youth. It is our duty as a
5 society to make sure that every single child in this state
6 has equal opportunity to participate in continuing the legacy
7 and make this country shine.

8 I can also relate to Rosa. She is a member of
9 New Sanctuary Movement. She is a caring and single mother.
10 She is fighting every day and doing her best to bring up a
11 smart and loving child and loving adult. Unfortunately, she
12 is witnessing her 15-year-old son being psychologically
13 affected by this unjust situation. One day her car broke
14 while she was driving to visit her sister with her son. The
15 young man started having a panic attack because of the fear
16 that the police would come and take his mother away. His dad
17 was deported during a similar encounter in the past. These
18 are just a few stories to illustrate how this current law
19 about driver's license affects our family, your family.

20 Please make things right. Take the stand for
21 your friends, your neighbors, your corner store owner, your
22 fellow Jewish, Christian, Muslims. I will end with this
23 religion quote: God said, "Whoever relieves the hardship of
24 a believer in this world, he will relieve his hardship on the
25 day of resurrection."

1 Thank you for your attention. God bless you.

2 MAJORITY CHAIRMAN HENNESSEY: Thank you,
3 Coumba.

4 Our next testifier is Muhammad.

5 Want to check in on the computer? There you
6 are. Welcome.

7 MR. MURTAZA: Yes.

8 MAJORITY CHAIRMAN HENNESSEY: Again, Muhammad
9 Maisum Murtaza with the Keystone Research Center.

10 Begin whenever you're ready. Thank you.

11 MR. MURTAZA: Thank you to all the members of
12 the committee for listening to these remarks today. I have
13 submitted testimony in writing, but I'd like to highlight a
14 few points. My name is Maisum Murtaza. I work as a
15 researcher for the Keystone Research Center and the
16 Pennsylvania Budget and Policy Center. We at PBPC are
17 working hard alongside other talented researchers, advocates,
18 and policy experts to help drive Pennsylvania to a state
19 where everyone can live with dignity and without fear of not
20 being able to meet their basic needs. One step to inching
21 forward to this goal is the expansion of driver's licenses to
22 all immigrants in Pennsylvania.

23 I'd like to start off with some of the lessons
24 that the data indicates we've learned over the last 18 months
25 on how our community and economy function.

1 The last year and a half has been difficult
2 for everyone, but the challenges have put a spotlight on
3 divisive narratives that are suggestive somehow that we are
4 different from other populations in this country that
5 struggled throughout the pandemic. Every person in
6 Pennsylvania has basic needs that must be met if our
7 communities are to recover from the difficult time that is
8 behind us and the trials that populate the road ahead.

9 Additionally, the COVID pandemic made it
10 increasingly clear what industries our communities cannot
11 function without. We label the workers in these industries
12 "essential" or "frontline workers." In Pennsylvania, many of
13 these workers are considered low-wage workers, and immigrants
14 are disproportionately represented in many of the industries
15 we labeled "essential."

16 Any undocumented immigrants that have
17 contributed so heavily to the survival of our (inaudible)
18 during the pandemic, did so knowing the great personal risk
19 they take on every time they leave the house, which is why we
20 are here to support the access to driver's licenses for
21 undocumented immigrants as a policy that not only benefits us
22 economically, but allows everyone in Pennsylvania to have
23 better lives.

24 The Pennsylvania Budget and Policy Center has
25 released two major reports, one outlining the overall

1 contribution of all immigrants in the state, and the second
2 looks at the specific expansion of driver's licenses and the
3 economic benefits it would bring through such a policy.
4 These benefits include positive impacts on public safety,
5 increased economic contributions, benefits for overall
6 families, businesses, and individuals. Most importantly, the
7 report supports a policy that allows undocumented residents
8 of our state to improve their lives, strengthen our
9 communities, and improve job matching while easing family
10 life.

11 I'd like to go over some of the basic findings
12 of these findings. An estimated 164,000 undocumented
13 individuals were eligible for a driver's license who reside
14 in Pennsylvania. Illinois and other states have found that
15 after three years of changing its driver's license law, about
16 50 percent of the eligible undocumented immigrants secured a
17 driver's license when given the chance. Using that take-up
18 rate, as other states have done, approximately 82,000
19 individuals in Pennsylvania would secure a driver's license.
20 The output of undocumented workers in Pennsylvania is
21 essential to several industries. We've already talked a
22 bunch about agriculture, but these industries include
23 agriculture where undocumented workers account for almost
24 9 percent of the annual output, and construction and
25 manufacturing where these workers are represented for

1 2 percent of the output. Undocumented workers are also well
2 represented in the leisure and hospitality industry that was
3 particularly hard-hit during the pandemic where they
4 represent 3 percent of the annual output. These labor
5 contributions could be facilitated and increased through the
6 expansion of the driver's licenses.

7 With this policy change, Pennsylvania can
8 expect to see a \$13 million increase in revenue over the next
9 three years from taxes, registration fees, license fees, and
10 vehicle-related purchases. It's also important to note that
11 these estimates include revenues from car-related sales,
12 registration, (inaudible) licenses, and as families are more
13 mobile, the effects will spill over onto positive impacts on
14 the local economy and communities as economic contribution
15 becomes easier for the undocumented population.

16 And of course, this is in addition to the
17 economic contribution undocumented workers already make to
18 the state. Our state's undocumented population make a yearly
19 contribution of 135 million in state and local taxes; this
20 includes sales (inaudible) in property and income tax,
21 alongside entrepreneurial contributions and labor
22 contributions to all of Pennsylvania's industries, but
23 especially agriculture.

24 It would have other benefits to the policy
25 outside of the increased tax revenue: Expanding licenses

1 leads to insurance savings. More people are covered, there
2 are less accidents involving uninsured motorists, reducing
3 rates for everybody. Expanding licenses will lead to safer
4 streets that more drivers on the road have passed the driving
5 test and taken an instruction in Pennsylvania's driving and
6 road safety laws. And most important, expanding access will
7 provide immeasurable benefits to thousands of individuals and
8 families across Pennsylvania leading to better access to
9 grocery stores, healthy food, school and school activities,
10 better access at doctors' offices, access to health care --
11 which is so critical during this time -- and potentially more
12 adequate housing and utility services and better employment
13 opportunity.

14 Thank you so much for your time and feel free
15 to ask questions.

16 MAJORITY CHAIRMAN HENNESSEY: Maisum, thank
17 you very much for your testimony. Stick around and we'll
18 have some questions for you in a few minutes.

19 Our next testifier is Muneeba Talukder?

20 MS. TALUKDER: Talukder?

21 MAJORITY CHAIRMAN HENNESSEY: How do you say
22 it?

23 MS. TALUKDER: Talukder.

24 MAJORITY CHAIRMAN HENNESSEY: Talukder.

25 MS. TALUKDER: Yeah.

1 MAJORITY CHAIRMAN HENNESSEY: Okay. From the
2 immigrants' rights -- she's a legal fellow with the
3 immigrants' rights counsel with the ACLU.

4 MS. TALUKDER: Thank you, Mr. Chairman.

5 And good morning, members of the
6 Transportation Committee. My name is Muneeba Talukder, and
7 I'm an attorney with the ACLU of Pennsylvania. The ACLU of
8 Pennsylvania works to protect and advance the rights of all.
9 Given that the protections afforded under the Constitution
10 apply to everyone, including immigrants, part of the work we
11 do is to advance and protect the rights of noncitizens. This
12 is why we are part of the Driving PA Forward Coalition. We
13 recognize that driver's licenses and state identification are
14 an essential part of navigating everyday life and believe
15 that it is critical that all Pennsylvanians have access to
16 them. And apart from making sure that all Pennsylvanians
17 regardless of their immigration status have the opportunity
18 to seek a driver's license or ID card, we also believe it is
19 critical that everyone's personal information is protected.

20 In this digital age, our personal information
21 is a commodity, and current law lacks sufficient privacy
22 protections for Pennsylvanians who obtain driver's licenses
23 or ID cards. This legislature has, in the past, worked
24 diligently to ensure that the information of constituents is
25 better protected through their efforts against REAL ID and

1 other federal policy that would compromise the economic and
2 biometric privacy of residents of the Commonwealth.

3 This legislature has also worked to limit the
4 ability of the state to collect biometric data from PA
5 residents. We hope that this same support is shown for HB
6 279 as it addresses grave privacy concerns.

7 I want to highlight today some of the ways in
8 which the privacy of Pennsylvanians is currently compromised.
9 Right now when an individual applies for a driver's license
10 or ID card, copies of their identification and residency
11 documents can be kept indefinitely. These records contain
12 highly sensitive information that is unrelated to a person's
13 driving history. This creates a bounty of information that
14 could be vulnerable to a security breach and is especially
15 problematic because there's no transparent process by which
16 request for information is evaluated.

17 MAJORITY CHAIRMAN HENNESSEY: Excuse me?

18 Muneeba, are you talking about everybody's
19 applications through PennDOT, not just the community we're
20 talking about today that is in support of House Bill 279, but
21 everyone across the board?

22 MS. TALUKDER: Yes, Chairman. This affects
23 everyone currently applying for a driver's license so that
24 has nothing to do with your citizenship status. It's still,
25 like, it affects everyone.

1 MAJORITY CHAIRMAN HENNESSEY: Okay. Thank
2 you.

3 MS. TALUKDER: Outside agencies also have
4 access to sensitive information through law enforcement
5 databases. Photos of ID seekers populate these databases to
6 be used in facial recognition software, which we know to be
7 deeply flawed and rife with racial and gender disparities.
8 Federal agencies, like ICE, currently have access to these
9 databases even though they are only supposed to be accessible
10 by law enforcement, which ICE is not. And although data
11 workers are prohibited from selling information, audits have
12 revealed that data brokers have broken agreements with
13 PennDOT and sold information to third parties.

14 And I'm just going to go off script a little
15 here because I know concerns over not knowing who is driving
16 on our streets were brought up and those people being
17 eligible for a driver's license. I just want to highlight
18 that when you apply and get a driver's license or ID, you are
19 consenting to have your information shared with law
20 enforcement databases. And why law enforcement generally
21 supports moves like this is because they have more info on
22 who is on the road. I know this isn't -- I just want to
23 bring that up because I brought up the law enforcement
24 databases.

25 Strong privacy protections build trust in our

1 government and remove barriers to accessing necessary
2 government services. New Jersey and New York recently
3 enacted strong protections for driver privacy. Pennsylvania
4 must strive to do the same.

5 I urge the Transportation Committee to support
6 this bill as it would add a host of crucial protections for
7 driver data, including requiring consent or judicial warrant
8 before releasing personal information about drivers and ID
9 card holders, creating a common sense approach to processing
10 identification documents without indefinitely retaining
11 personal information and making PA residents vulnerable to
12 having their information used without their consent.

13 Stronger requirements barring agencies from
14 information to third parties -- as a civil rights attorney
15 and a Pennsylvania resident, I want to ensure that my privacy
16 and the privacy of my neighbors and community is protected.
17 It is not okay for our information to be sold and shared with
18 federal agencies without our permission or without proper
19 safeguards.

20 We must take immediate action to protect the
21 personal information for all Pennsylvania drivers and ID card
22 holders. As you've heard from other community members today,
23 this move would be a win for the state's economy, for the
24 privacy and integrity of our licensing system and for all
25 Pennsylvanians, and especially for immigrant communities.

1 This is why we urge the Transportation Committee to support
2 HB 279.

3 Thank you for your time.

4 MAJORITY CHAIRMAN HENNESSEY: Muneeba, thank
5 you for your testimony, and we'll have questions for you in a
6 few moments.

7 Our next testifier from CASA is Kyle Rivers,
8 who is an advocacy specialist.

9 CASA standing for...

10 MR. RIVERS: Just CASA, "home."

11 MAJORITY CHAIRMAN HENNESSEY: Home?

12 MR. RIVERS: Yes, that's the --

13 MAJORITY CHAIRMAN HENNESSEY: Okay. It's not
14 an acronym?

15 MR. RIVERS: No.

16 MAJORITY CHAIRMAN HENNESSEY: Got it.

17 MR. RIVERS: Thank you, Mr. Chairman.

18 MAJORITY CHAIRMAN HENNESSEY: Thank you.

19 MR. RIVERS: Good morning, Mr. Chairman,
20 members of this committee, and esteemed panel. My name is
21 Kyle Rivers, and I serve as CASA's advocacy specialist in
22 Pennsylvania.

23 CASA is the largest membership-based immigrant
24 rights organization in the mid-Atlantic region with more than
25 115,000 members. You'll see some of those folks sitting to

1 my left behind us.

2 On behalf of CASA members and communities
3 across the state, thank you for the opportunity to have this
4 hearing because it provides a chance to discuss firsthand how
5 important this bill is for all Pennsylvanians.

6 Year after year, CASA members have
7 consistently fought to achieve the freedom of movement in the
8 state that they call home through the creation of a
9 state-issued driver's license regardless of their immigration
10 status could obtain. Immigration status should not determine
11 eligibility for a license. A license should be granted based
12 on an individual's driving skills. This is about making sure
13 all Pennsylvania drivers are tested, trained, licensed, and
14 insured.

15 Almost everyone agrees that when folks who are
16 on the road have permission to drive, have proper training in
17 how to operate a vehicle, and have valid insurance, everyone
18 wins. Undocumented Pennsylvanians are just like you and me
19 with fundamental needs such as going to doctors'
20 appointments, taking their children to school, and going to
21 work. They have the same responsibilities like paying taxes
22 and providing for their families. By granting these folks
23 access to a standard-issue driver's license, this ensures
24 that there's a clear understanding of the responsibility in
25 operating a vehicle. That creates safer roads for all

1 Pennsylvanians.

2 The public safety aspect also goes beyond the
3 road. In addition to ensuring that drivers and licensees
4 understand the rules and responsibilities on the road, a
5 standard-issue driver's license ensures that folks have
6 another resource as a valid form of identification, which is
7 often in need while interacting with businesses,
8 organizations, government entities, and police departments
9 across the Commonwealth. Not everyone is familiar with valid
10 forms of identification provided by government entities from
11 countries around the globe.

12 Just to give you an example, in York, CASA has
13 been working for many years to establish trust and a
14 meaningful relationship with the police department and the
15 city. While we've made strides addressing bias and
16 ultimately helping our community feel more comfortable
17 interacting with the police, whether to report crimes or
18 collaborate, there's still a missing piece to bridge the gap,
19 that being IDs. We continue pushing these efforts in
20 Lancaster, here in Dauphin, and in Chester, and collaborate
21 with other communities to make it all happen across the state
22 because at the end of the day, we want to feel safe and fully
23 participate and contribute to the fabric of our communities.

24 To conclude, HB 279 offers a clear solution
25 making the Commonwealth's roads safer and more equitable.

1 Passing this piece of legislation is a public safety issue
2 and an economic issue. This piece of legislation will grant
3 the right of movement to taxpaying Pennsylvanians, allowing
4 them to further participate in society and serve as active
5 members in their communities. Making driver's licenses
6 accessible allows people to participate equally in life,
7 makes our roads safer by ensuring drivers' are qualified, and
8 helps our economy by registering new drivers.

9 In Pennsylvania, no one should struggle
10 getting to work, keeping medical appointments, taking their
11 children to school, or more simply because they cannot access
12 driver's licenses. By passing this needed legislation with
13 ample protections for all Pennsylvanians regardless of their
14 immigration status, we are growing our economy while making
15 our roads safer.

16 For all the reasons mentioned, CASA in
17 Pennsylvania is proud to support House Bill 279. Please pass
18 HB 279 and let the people drive. Thank you.

19 MAJORITY CHAIRMAN HENNESSEY: Thank you, Kyle.

20 And thank you to all of our testifiers for the
21 testimony you've given to us.

22 There are, I think, some questions.

23 And I'll address this to, I think, Muneeba
24 first.

25 You made -- you drew a distinction in terms of

1 law enforcement and ICE. You said law enforcement -- or ICE
2 is not a law enforcement agency. Most of us would probably
3 think that it was. What's the distinction you're drawing and
4 why would you say that they are not law enforcement?

5 MS. TALUKDER: Well -- thank you for your
6 question, Chairman Hennessey.

7 I think it's important to note that the
8 databases that I'm talking about are law enforcement
9 databases. And currently, federal agencies that are not in
10 law enforcement can access. And ICE isn't law enforcement.
11 It enforces civil immigration law and that is a civil --
12 like, they are civil officers. They are not -- although they
13 might have "police" on their vests, they aren't law
14 enforcement. They are looking for people who have violated
15 immigration laws, which is a civil offense.

16 MAJORITY CHAIRMAN HENNESSEY: Okay. And
17 thanks for that. I think I got it, I think I understand.

18 One of the problems that I had when I looked
19 at the statute itself -- let me find it here -- is that it
20 became -- it was easy to miss -- I think on page 2 and page 5
21 and 6, there are brackets around existing law, which people
22 can easily overlook when you're looking at the statute. And
23 there's language inserted, I think, to replace that.

24 But essentially, as I looked at it, it seemed
25 like those brackets had the effect of stripping away law

1 enforcement, current law enforcement authorizations in
2 dealing with the information that you're talking about, and
3 just replacing it with some other language which to me did
4 not seem to address the same issues. It talked about the
5 issues, but it would basically change the way any law
6 enforcement officer had to handle any kind of information
7 that we gained even in a legitimate stop.

8 So, you know, I think some people who had
9 cosponsored the bill before, you know, contacted me and
10 asked, you know, what the effects of that was, those
11 brackets. Like I said, they're hard to -- you don't
12 necessarily see them as you scan through the bill trying to
13 figure out whether or not you want to sponsor, cosponsor the
14 bill or not. But they do have a very substantial effect in
15 what our law enforcement officers are allowed to do.

16 And while I know there's a fear in the
17 community, in this community that we're talking about, in
18 terms of encountering law enforcement, I do think that we
19 have to recognize that the vast majority of law enforcement
20 officers are there to protect our safety and are trustworthy
21 and do the job that they're supposed to do.

22 So as I said, just bracketing it off -- and
23 that's the way -- that's not to indicate that there was any
24 intent to hide something. You know, we didn't strike through
25 it, which might be a different way, but that's not the way we

1 process bills here through the Legislative Reference Bureau.

2 But I just call your attention to the fact
3 that it strips -- those brackets have a very profound effect
4 in changing current law. And just as an aside -- and we
5 talked about people hacking into the system and sharing
6 information -- we try our best not to allow that to happen,
7 but hackers don't obey the law no matter what it says, so --

8 MS. TALUKDER: Yes.

9 MAJORITY CHAIRMAN HENNESSEY: -- so that's
10 probably something we can't control unless we go back and get
11 rid of some of that information after a period of time. And
12 that may be a good idea for every citizen, every person in
13 Pennsylvania, not just the community that we're talking about
14 today.

15 DEMOCRATIC CHAIRMAN CARROLL: Mr. Chairman,
16 maybe Representative Hohenstein can offer some information.

17 REPRESENTATIVE HOHENSTEIN: Yeah, I can
18 provide a little bit of clarification on some...

19 DEMOCRATIC CHAIRMAN CARROLL: (Inaudible.)

20 REPRESENTATIVE HOHENSTEIN: Okay.

21 So as many of you know, I worked as an
22 immigration attorney for many, many years. And so I'm very
23 familiar with the fact that even though it seems like a
24 criminal process, the immigration and, in particular, the
25 deportation process is a civil one.

1 So what we are focusing on with the changes
2 that you called out is to take away the idea that there has
3 to be an authorization coming with and through either
4 citizenship and immigration services, ICE, or really the
5 overall agency that covers both of them, the Department of
6 Homeland Security. And we're not looking at changing how law
7 enforcement would interact with any of these databases.

8 What we're looking to do is to say when the
9 identification document that comes forward that someone
10 applies with, doesn't always have to be one that is issued by
11 USCIS or what we would call our immigration authorities.
12 Because frankly, I've seen many, many situations in which
13 those were misinterpreted or not understood and they were
14 valid documentation. I mean, even within our own caucus, we
15 had someone who was completely employment eligible based on
16 having asylum status, that was not recognized because it was
17 a particular document that the person hadn't yet received
18 from immigration, and so that person was actually delayed for
19 several months and taken off payroll as a result even though
20 they shouldn't have been.

21 So the confusion that happens when you try to
22 have a state agency interpret or review immigration federal
23 documents is really significant. That's what we were
24 focusing on, and the changes that we were making, is to try
25 to avoid those places where there's confusion.

1 People still have to go through identity
2 documents. They're presenting, by and large, biometric
3 passports or consular IDs that the embassies and consulates
4 here are producing in conjunction with the U.S. You know,
5 they will share that information with U.S. law enforcement,
6 criminal law enforcement authorizations pretty regularly.
7 And so that is what, you know, what we're still focusing on.

8 But the underlying immigration system remains
9 a civil one, and that's where we're seeking to draw the line
10 because there are still ways to get judicial warrants or to
11 have probable cause from a criminal investigation and you get
12 access to the same information, but it has to be law
13 enforcement, and that's focused on criminal law enforcement.

14 So that's -- but we can discuss this off-line,
15 but valid concerns because you do need to maintain criminal
16 law enforcement. But ICE often has, it overlaps into those
17 areas, but the agency itself is a civil one.

18 MAJORITY CHAIRMAN HENNESSEY: Okay. All
19 right. Thank you.

20 REPRESENTATIVE HOHENSTEIN: Thank you.

21 MS. TALUKDER: And just to add to that --
22 thank you, Rep Hohenstein.

23 The Subsection K, it adds safeguards, but it
24 doesn't necessarily take away law enforcement's access to
25 information. Like I mentioned, those databases, JNET and

1 CLEAN, which have information from PennDOT and from seekers
2 of driver's licenses, or sorry, people who have driver's
3 licenses and identification, that information still would
4 exist. What we're asking -- what we're asking for is that
5 that information is limited to law enforcement, as it should
6 be, because it is for -- it's a law enforcement database.

7 And I think one of the testifiers mentioned --
8 you know, Julissa mentioned her father wanting to cooperate
9 with law enforcement in an incident where he was assaulted
10 and felt afraid to do so. So that's one of the things that
11 we want to address here is that folks aren't afraid to
12 cooperate with law enforcement when it comes to the safety of
13 the community. We want safer communities and having privacy
14 protections for everyone. It actually increases people's,
15 you know, they feel comfortable to work with law enforcement
16 and we know -- and the reason I went off script for a bit was
17 just to say that law enforcement generally supports moves
18 like this is because they have more information about who is
19 on the road.

20 MAJORITY CHAIRMAN HENNESSEY: Okay. Just to
21 clarify, JNET and CLEAN are databases, systems that we put in
22 place so that police officers, police, generally, can share
23 that information and have as much information as they need to
24 do their jobs.

25 The distinction that you're making --

1 MS. TALUKDER: Yes, with other law enforcement
2 agencies. Yeah.

3 MAJORITY CHAIRMAN HENNESSEY: It would seem to
4 me that ICE is a law enforcement agency, but the distinction
5 you're drawing, I think, is criminal law enforcement versus
6 civil law enforcement. ICE being civil and --

7 MS. TALUKDER: Yes, yes.

8 MAJORITY CHAIRMAN HENNESSEY: Am I right in
9 that? I mean, that's the distinction I'm getting as you're
10 talking to me, so --

11 MS. TALUKDER: Yes, that's correct. ICE is
12 not enforcing criminal law nor does it have authority to
13 decide, you know...

14 MAJORITY CHAIRMAN HENNESSEY: So you would
15 have no objection to criminal law enforcement at any level
16 sharing information among themselves, but your objection is
17 that ICE being civil law enforcement, not criminal, should
18 not have access to the same information unless they get a
19 warrant seeking that information.

20 MS. TALUKDER: Yeah. I think there are
21 problems that exist with Jane Ed (phonetic) and CLEAN, which
22 I won't get into. And I -- but the law that's written is to
23 limit the information that agencies that are not considered,
24 like, criminal law enforcement getting information and
25 holding people back from accessing a driver's license or

1 identification, and really, it's creating safeguards. So law
2 enforcement can still access someone's information through a
3 judicial warrant, and it does not stop law enforcement from
4 doing their jobs.

5 MAJORITY CHAIRMAN HENNESSEY: Okay. Thank you
6 very much.

7 Representative Heffley, you have a question.

8 REPRESENTATIVE HEFFLEY: Yeah.

9 So I guess the question is -- it's more of a
10 point or an observation than maybe a question. But -- and we
11 have a great nation here, greatest nation in the world.
12 Nobody is climbing over the wall to get into China, right?
13 They may be climbing over a wall to get out, but they're not
14 climbing a wall to get in. We have opportunities here, and
15 we provide a safe environment for people to live. That's
16 the, you know, public safety, whether it be airbags in
17 vehicles to keep people safe, seat belts, making sure that
18 safe drivers are behind the wheel, making sure that our law
19 enforcement are out there to keep our community safe so
20 businesses can provide opportunities to grow. It's why
21 people of every nationality want to come to this country
22 because we have laws in place to keep the community safe and
23 provide opportunities for every individual, right? No matter
24 who you are, where you come from, you can be anything you
25 want in this nation. Barack Obama was the President of the

1 United States. I mean, anybody can be anything that they
2 want. Maybe not my favorite, but it proves a point. Anybody
3 can be anything they want because of the laws and the
4 structures that we have and the legislative process that we
5 have to put things in place.

6 So where my concern comes in with that, if
7 we're not going to provide the security measure -- like we
8 found out that the things that were put in place in 2002 were
9 put in place for a reason, right, because of what happened on
10 September 11th. Thousands of people were killed because we
11 had loopholes in different statutes, and people came in here
12 who wanted to hurt us. There are people all over the world
13 that right now would like to do harm to everybody in this
14 country. And so, whether it be law enforcement or
15 immigration, so they have a role to play. So I don't
16 necessarily think they're a bad guy. They are enforcing the
17 laws in this nation that we, as a collective, in a democracy
18 put in place. I don't think we should be blocking them from
19 doing their job or anything else.

20 Do I think we have a broken immigration
21 system? Of course, look at what's happened at our border.
22 It's inhumane what's happening to folks as they travel to get
23 here. It's much more humane when they get here.

24 So with that said, I have concerns with the
25 underlying bill. I'm not a world traveler, I've been out of

1 the country a few times. I just ordered a passport. I've
2 been to Canada several times.

3 Try to get into Canada and try to get from
4 Canada back into the United States, it's a process. You have
5 to go through the border, they were looking through my
6 vehicle. We went to a football game in Buffalo and stayed at
7 Niagara Falls. It's a process, and rightly so. It's an
8 international border. These are international laws. The
9 rights that we have in America, they don't have in Canada.
10 They don't have free speech in Canada and other countries
11 like we have here.

12 But because we're a nation of laws, we have
13 those laws. So when we look at circumventing those laws or
14 processes, it becomes concerning to a lot of folks. I know,
15 they say, "Well, it's just a driver's license," but it's a
16 little bit more than that, you know. You're giving a status
17 to somebody who maybe didn't follow the rules or the laws to
18 get here. And that's a concern that a lot of folks have.
19 Maybe they're broken laws, but they're still the laws until
20 they're adjusted.

21 So with that said, I think there's a lot of
22 work that needs to be done here on this yet. And I
23 appreciate the testimony of everybody. But what I think that
24 makes us great, we don't want to get away from that. That's
25 why people want to come here, so you can safely live in your

1 community and have opportunities that people in other parts
2 of the world, unfortunately, don't have.

3 So thank you.

4 MAJORITY CHAIRMAN HENNESSEY: Thank you.

5 MS. TALUKDER: Thank you, Rep Heffley.

6 Just to respond briefly, I agree that, you
7 know, there are a bunch of -- there are a number of reasons
8 why someone wants to come to the United States. And I also
9 agree that our federal immigration system needs a lot of
10 work. And unfortunately, that isn't happening right away,
11 and I think Pennsylvanians still need these protections and
12 should not be punished for our federal government not acting.

13 And this legislature has in the past vowed to
14 protect the information of its residents. And, you know,
15 REAL ID was also a post-9/11 measure, but I think what's
16 really great about Pennsylvania is that it stands up for its
17 residents. And with the understanding that national security
18 concerns are real, it still stands up that our information
19 should not be compromised. I think that that value holds
20 true still, and I think the legislature needs to stand true
21 to what it has done in the past, and really --

22 I think there are measures that can be put
23 into place that will allow law enforcement and will allow
24 folks to still access information when it's needed.

25 I think the other thing that I just want to

1 note is -- sorry, I'm losing my train of thought.

2 Well, I'll come back to it when --

3 MAJORITY CHAIRMAN HENNESSEY: That happens to
4 me all the time, but you're much too young for that to happen
5 to you.

6 MS. TALUKDER: But I'll come back to it when I
7 remember.

8 I just want to, you know, emphasize that the
9 privacy protections are something that impacts all of us
10 regardless of our immigration status, and it's something that
11 I think we should be fighting for.

12 I said earlier that our personal information
13 is a commodity, that cannot be truer than today in this
14 digital age we're living in. And programs like facial
15 recognition are really flawed, so we have to think about the
16 ways in which our information is shared. And if there is --
17 I think it's really a critical part of this bill that there
18 are privacy protections built in that will help everyone,
19 including me, including you. I think that's something we can
20 all sign on to.

21 MAJORITY CHAIRMAN HENNESSEY: Okay. Thank
22 you.

23 I don't see anybody else asking questions.

24 I'll recognize Representative Burgos for his
25 closing comments about House Bill 279 and today's hearing.

1 REPRESENTATIVE BURGOS: I'd like to thank all
2 the advocates, all of our community groups that are here
3 advocating for the most vulnerable, for the most weak, which
4 in turn so happened that they were working very hard through
5 our pandemic.

6 This bill closes a loophole. It does not
7 create loopholes. This bill creates an economic, a steady
8 economic contribution to municipalities throughout the
9 Commonwealth of Pennsylvania. Insurance will see benefits
10 from this, car dealerships will see a benefit from this, our
11 economy will see a huge benefit from this -- from this bill
12 if we're able to enact it.

13 This is not about rewarding. This is not
14 about giving. This is about providing a path to dignity, to
15 the people that we say that we care about that pick our
16 apples, pick our potatoes, to the people that work on
17 construction sites throughout the greatest Commonwealth.
18 We're not giving nothing to anyone. We're providing a path
19 for equality, empathy, which is what we really need today
20 especially under our circumstances, in the atmosphere that
21 we're living in in our communities. It's about recognizing
22 and doing what's American, doing what's right.

23 Thank you, Mr. Chairman.

24 Thank you, Chairman Hennessey, Chairman
25 Carroll.

1 And to the executive director of the
2 Transportation Committee, thank you for all your help, for
3 putting this event together today.

4 MAJORITY CHAIRMAN HENNESSEY: You're welcome.

5 Thank you, Danilo.

6 And thank you to all our testifiers. Let me
7 see, Coumba, Maisum, Muneeba, Kyle Rivers, thank you all.

8 I think you've given us -- thank you for your
9 testimony, but also thank you for your responses to our
10 questions.

11 I think it's been a healthy discussion. I
12 think I've learned a lot about what your concerns, what your
13 desires are as far as House Bill 279.

14 I don't want to be the bearer of bad news, but
15 I will tell you this, you go through a legislative process --
16 House Bill 279 might not look like today's version of
17 House Bill 279 when it's all done.

18 I think that having the hearing today has at
19 least focused people's attention on what the bill does and
20 what it doesn't do. And it can lead to a lot of other
21 discussions among our members as it goes through the process.
22 So -- and I think we're specifically looking at the
23 distinctions that you helped to advance in terms of, you
24 know, what the difference is between criminal law enforcement
25 and civil law enforcement. We'll be taking a look at that

1 and seeing how this language affects it, how it might be
2 doctored or changed or whatever, modified, as we go along.
3 We'll have to decide as a committee what's reasonable to
4 present to our House of Representatives, and the full House.

5 So it is the beginning of a process, but it's,
6 I think, probably farther along than House Bill 279 has ever
7 gotten before. So, you know, it's a good start. And I
8 appreciate all the information you've given us today, to all
9 our testifiers.

10 And to our members, the information -- we've
11 heard testimony that in 16 other states we have similar types
12 of legislation that have passed. Torrey Lauermann from our
13 House committee staff has put together information that she
14 got from the National Conference of State Legislators.
15 That's in your packets for those who are watching still
16 virtually -- it's in your electronic information that Pam
17 sent out to all of our members. So you might want to take a
18 look at that and see where Pennsylvania stands versus the
19 other states in the Union.

20 And with that, Mike, do you have anything you
21 want to say?

22 (No response.)

23 MAJORITY CHAIRMAN HENNESSEY: Okay.

24 With that, you're adjourned.

25 Thank you all for your attention and for being

1 here today.

2 (The hearing concluded at 12:24 p.m.)

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C E R T I F I C A T I O N

I hereby certify that the proceedings are contained fully and accurately in the notes taken by me on the within proceedings, and that this copy is a correct transcript of the same.

Summer A. Miller

Summer A. Miller, Court Reporter
Notary Public