

1
2 COMMONWEALTH OF PENNSYLVANIA
3 HOUSE OF REPRESENTATIVES
4 HOUSE STATE GOVERNMENT COMMITTEE

5
6 EAST WING
7 ROOM 60
8 HARRISBURG, PENNSYLVANIA

9
10 TUESDAY, OCTOBER 5, 2010
11 9:00 A.M.

12
13 PUBLIC HEARING ON
14 HOUSE BILL 1359

15
16
17 BEFORE:

18 HONORABLE BABETTE JOSEPHS, CHAIRMAN

19 HONORABLE KERRY BENNINGHOFF

20 HONORABLE MARK B. COHEN

HONORABLE LAWRENCE H. CURRY

21 HONORABLE FLORINDO FABRIZIO, JR.

HONORABLE DAN FRANKEL

22 HONORABLE JARET GIBBONS

HONORABLE MICHAEL O'BRIEN

23 HONORABLE JIM COX

HONORABLE SHERYL M. DELOZIER

24 HONORABLE MATT GABLER

25 HONORABLE GLEN GRELL

1 CONTINUED:

2 HONORABLE MARCIA M. HAHN
3 HONORABLE TIM KRIEGER
4 HONORABLE DAVID R. MILLARD
5 HONORABLE KATHY L. RAPP
6 HONORABLE BRAD ROAE

7

8

ALSO PRESENT:

9

HONORABLE RON MARSICO

10

RODNEY OLIVER, EXECUTIVE DIRECTOR (D)

11

SUSAN BOYLE, EXECUTIVE DIRECTOR (R)

12

MATT HURLBURT, RESEARCH SPECIALIST

13

HELEN NORTON, RESEARCH ANALYST

14

JENNIFER BELZ, LEGISLATIVE ASSISTANT

15

KRISTEN GRAYBILL, RESEARCH ANALYST

16

JERI DAVIS, LEGISLATIVE ASSISTANT

17

BRENDA S. HAMILTON, RPR
REPORTER - NOTARY PUBLIC

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P R O C E E D I N G S

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CHAIRMAN JOSEPHS: We have a very full agenda, and on the way here I did the math and it comes out that each one of our slots here really I can only give 13.3 minutes to. So -- and that includes questions.

So we're going to start. I'm going to ask Ms. Belz to take the agenda -- the attendance. I'll note when other people come in.

I'm going to make an opening statement. I'm going to ask Mr. Chairman Benninghoff if he wants to make one. And then I'm going to be very strict.

So I will suggest, people who have very interesting testimony, and I had a chance to look at much of it last night, please summarize it or you will only get through about six or seven minutes before I interrupt you because I'm sure people will have questions.

Ms. Belz, if you'll take the attendance.

MS. BELZ: Josephs.

CHAIRMAN JOSEPHS: Here.

MS. BELZ: Bishop.

Boyle.

Carroll.

Cohen.

Curry.

1 REP. CURRY: Here.
2 MS. BELZ: Fabrizio.
3 Frankel.
4 Freeman.
5 Galloway
6 Gibbons.
7 O'Brien.
8 REP. O'BRIEN: Here.
9 MS. BELZ: Oliver.
10 Taylor.
11 Vitali.
12 Benninghoff.
13 REP. BENNINGHOFF: Here.
14 MS. BELZ: Cox.
15 Delozier.
16 Gabler.
17 Grell.
18 REP. GRELL: Here.
19 MS. BELZ: Hahn.
20 REP. HAHN: Here.
21 MS. BELZ: Krieger.
22 Miccarelli.
23 Millard.
24 REP. MILLARD: Here.
25 MS. BELZ: Rapp.

1 REP. RAPP: Here.

2 MS. BELZ: Roae.

3 REP. ROAE: Here.

4 CHAIRMAN JOSEPHS: Mr. Fabrizio, Mr. O'Brien is
5 here. Mr. Marsico, who is our first witness, has joined
6 us. Mr. Grell. Mr. Frankel.

7 We're going to start. Mr. Marsico, I'm going
8 to be really strict. I'm going to say something -- my
9 chairman, my co-chairman is, and we're going to ask you
10 to keep to six or seven minutes.

11 REP. MARSICO: Sure.

12 CHAIRMAN JOSEPHS: Please.

13 REP. MARSICO: No problem.

14 CHAIRMAN JOSEPHS: When I first saw this
15 bill, I thought about a number of my constituents. Now,
16 I know that the -- the stereotype of my district is that
17 everybody is rich, but this is not true.

18 There is enormous, and I don't know how
19 big, very serious hidden poverty right on the famous
20 landmark, which is the heart of my district, which is the
21 Rittenhouse Square.

22 On Rittenhouse Square live many people who
23 have outlived, women most of them, their husband's
24 pensions. They were solidly middle class. They are
25 ashamed of the fact that they are poor. They get all

1 kinds of assistance if it can be done anonymously.

2 Securely, but anonymously.

3 They will go hungry rather than show up at
4 a county assistance office presenting identity to show
5 that they indeed qualify for food aid. They will be
6 hungry.

7 I am very worried about my beautiful,
8 frail, fragile old ladies who cannot move because they're
9 too old and they cannot stay in their apartments or
10 condominiums because they cannot afford the rent and pay
11 for food and heat at the same time.

12 I worry a lot about them. I see them on
13 the square. I see them walking around town. I think
14 they're hungry.

15 I'm also worried about the farmers. We
16 move tremendous tons, tons, I don't know how many, of
17 food to Philadelphia and other people across the state
18 who need food. Our farmers need to sell product in those
19 markets. We pay them for that.

20 I worry about both parties if we do
21 something that makes it difficult for people to get food
22 assistance. I'm happy to have the facts of this case. I
23 hope I'm wrong.

24 Mr. Chairman, you're on.

25 REP. BENNINGHOFF: Very briefly, I just

1 want to thankful Madam Chairman for hosting this hearing
2 on a very important topic. It's important that we have
3 open, honest, frank dialogue. I look forward to the
4 testifiers' comments, as well as Rep. Marsico on his
5 House Bill 1359.

6 Without further ado, we will proceed. I
7 will end my comments. Thank you.

8 CHAIRMAN JOSEPHS: Brevity. A Republican
9 trait.

10 Just good looks, he says, is a Republican
11 trait.

12 Mr. Marsico, please proceed.

13 REP. MARSICO: Well, thank you, Chairman
14 Josephs and Chairman Benninghoff for holding this hearing
15 today. We wanted to be here to talk about this
16 legislation, House Bill 1359.

17 To put it very simply, and to be
18 straightforward, this bill actually, what it does,
19 prohibits illegals -- illegals --

20 CHAIRMAN JOSEPHS: Mr. Marsico --
21 Mr. Marsico, in this -- in this committee we don't call
22 people names. If you are referring to people who are in
23 this country, in this state, without documents, I wish
24 that you would refer to them as --

25 REP. MARSICO: I don't know what else to

1 call them, Madam Chairman.

2 CHAIRMAN JOSEPHS: They are undocumented
3 residents.

4 REP. MARSICO: Okay. We'll call them, as
5 you wish, undocumented residents --

6 CHAIRMAN JOSEPHS: Thank you.

7 REP. MARSICO: -- of this Commonwealth --

8 CHAIRMAN JOSEPHS: Thank you.

9 REP. MARSICO: Their benefits are paid for
10 by the taxpayers of this Commonwealth. This bill creates
11 the proof of citizenship for the receipt of public
12 benefits.

13 And let me just review some of those public
14 benefits. A public benefit -- a public benefit is
15 defined as any welfare, health, disability, public or
16 assisted housing, post-secondary [sic], food assistance,
17 unemployment benefit, or any other similar benefit for
18 which payments or assistance are provided to an
19 individual, household, or family eligibility unit by an
20 agency of the Commonwealth or local government.

21 Since the introduction of this legislation,
22 which was in 2009, I received many, many e-mails and
23 correspondence from hundreds of people across
24 Pennsylvania.

25 Every single one of them in districts

1 across Pennsylvania supports House Bill 1359 and agrees
2 that the Commonwealth simply cannot afford to continue
3 supporting these undocumented residents of the
4 Commonwealth.

5 CHAIRMAN JOSEPHS: Thank you.

6 REP. MARSICO: The Federation for
7 Immigration Reform estimates that Pennsylvania's
8 undocumented residents' population costs the state's
9 taxpayers about \$728 million per year for the education,
10 medical care and incarceration as well.

11 Frankly, this is an insult to the taxpayers
12 of this Commonwealth. This is a smack in the face to
13 those hard-working, law-abiding, tax-paying
14 Pennsylvanians.

15 At a time when the state's economy is
16 desperately in need of help we need to fight to do the
17 right thing for Pennsylvania's taxpayers.

18 Just this -- just recently, we received
19 information from other states than the Commonwealth that
20 have legislation similar to House Bill 1359 and they were
21 recently, for the last year or so, passed. Those states
22 are Arizona, Colorado, Georgia, Idaho, Missouri -- and
23 Missouri. I think that those are the states. Yeah.

24 So, Madam Chair, I look forward to hearing
25 the testimony as well and, once again, appreciate the

1 opportunity to present this bill to you. And hopefully I
2 stay -- I stayed within the time constraints.

3 CHAIRMAN JOSEPHS: Yes, you did. Thank
4 you.

5 Are there any questions? Or discussion?
6 Mr. Grell.

7 REPRESENTATIVE GRELL: Thank you, Madam
8 Chairman.

9 CHAIRMAN JOSEPHS: Oh, oh. Can I interrupt
10 you --

11 REP. GRELL: Sure.

12 CHAIRMAN JOSEPHS: -- just to say
13 Mr. Gabler has come in.

14 REPRESENTATIVE GRELL: Mr. Gabler, good
15 morning.

16 Chairman Marsico, are you aware of any
17 groups or individuals that are in favor of your
18 legislation?

19 I noticed that our hearing today has groups
20 all of which are opposed to it. I'm wondering whether
21 there are such groups and whether they were invited to
22 attend.

23 REP. MARSICO: Yeah. Probably the most
24 important group that I can think of are the taxpayers of
25 this Commonwealth. I can read off some of the e-mails

1 that I received or some of the comments I received from
2 some of the taxpayers of this Commonwealth.

3 One is -- you know, I'm not going to
4 leave -- give you any names, but this is from -- Sheila,
5 we'll say. The legislation makes good sense in its
6 approach to fiscal responsibility. What is it about the
7 word -- sorry, Madam Chair -- illegal that's so difficult
8 for the people to understand? If you were here with all
9 your papers, you deserve to get benefits. If not, you
10 are entitled to nothing.

11 Another e-mail from Carl. I'm all for your
12 proposed legislation. It's time to stop the free
13 handouts or you risk breaking the backs financially of
14 the taxpayers.

15 One more. Thank you for trying to do the
16 right thing and not the politically correct thing. And
17 that's from Susan.

18 So some of the -- to answer your question,
19 Representative Grell, yes, the taxpayers of this
20 Commonwealth.

21 REPRESENTATIVE GRELL: Thank you.

22 CHAIRMAN JOSEPHS: I --

23 REP. MARSICO: I'm happy just -- if I could
24 just --

25 CHAIRMAN JOSEPHS: I'm sorry.

1 REP. MARSICO: -- add one thing. I add the
2 Commonwealth Foundation.

3 EXEC. DIRECTOR BOYLE: Yes.

4 REP. MARSICO: We have testimony from the
5 Commonwealth Foundation as well.

6 CHAIRMAN JOSEPHS: We -- we did invite
7 Mr. Chairman Benninghoff to ask anybody to testify on his
8 side, and we do have two groups, Do Not Speak For Me and
9 the Pennsylvanians for Immigration Control and
10 Enforcement that are here and I think will testify.

11 So if people chose -- if other people chose
12 not to step forward, that was their choice.

13 Ms. Rapp?

14 REP. RAPP: Thank you, Madam Chairman.

15 Very quickly, Representative Marsico. On
16 Page 4, under the exceptions, this bill does not apply to
17 a person under 18 years of age?

18 REP. MARSICO: Yeah. The point is, I mean
19 we do not want to deny benefits to minors. We're
20 directing this legislation towards the -- their families,
21 the adults of the families.

22 REP. RAPP: So we're not --

23 REP. MARSICO: And --

24 REP. RAPP: We're exempting the children --

25 REP. MARSICO: Yes.

1 REP. RAPP: -- of the state?

2 REP. MARSICO: Exactly.

3 REP. RAPP: Thank you. Thank you, Madam
4 Chair.

5 REP. MARSICO: Just if I can, Madam
6 Chair --

7 CHAIRMAN JOSEPHS: Certainly.

8 REP. MARSICO: -- point out, if I could,
9 forms of identification that were -- that this
10 legislation has established, you know, a valid driver's
11 license. So they'd be required to show either a valid
12 driver's license; a valid identification card issued by
13 any other agency of the Commonwealth; a valid
14 identification card issued by the United States
15 government, a state government; a valid United States
16 passport; a valid Armed Forces of United States
17 identification card.

18 So those are some of the forms of
19 identification that we would -- that's in the
20 legislation.

21 CHAIRMAN JOSEPHS: Mr. Millard?

22 REP. MILLARD: Thank you, Madam Chairman.

23 Chairman Marsico, I -- I forget the amount
24 that you said. How much did you say this burden is on
25 the taxpayers of Pennsylvania?

1 REP. MARSICO: It's -- it's estimated at
2 about \$728 million per year.

3 REP. MILLARD: Thank you. That's all I
4 needed to know.

5 CHAIRMAN JOSEPHS: I'd appreciate, not
6 necessarily now, Mr. Marsico, if you could forward to the
7 committee the group that made that estimate and the
8 method by which they made it.

9 REP. MARSICO: Okay.

10 CHAIRMAN JOSEPHS: Thank you.

11 REP. MARSICO: Certainly.

12 CHAIRMAN JOSEPHS: Any other questions?

13 Mr. O'Brien. Mr. O'Brien.

14 REPRESENTATIVE O'BRIEN: Thank you, Madam
15 Chairman.

16 Mr. Chairman, certainly I appreciate the
17 record. Certainly a record that has been reoccurring in
18 the United States beginning with the native rights of
19 1847 dealing with undocumented residents, but -- but
20 certainly I -- I -- I need to wonder, and let me put to
21 you, if perhaps it may be a question of penny wise, pound
22 foolish.

23 Now, at some place along the way if these
24 folks get ill, malnourished, wind up in the hospitals,
25 they need to be treated pursuant to the Hill-Burton Act.

1 They need to be treated.

2 So perhaps if you take us down the path, if
3 you will, in these states that have passed similar
4 legislation, is there a cost analysis of increases in --
5 in nonreimbursed costs in -- in the local hospitals?

6 REP. MARSICO: Well, thanks for the
7 question. I don't have that information for you, but I
8 will certainly forward it to the committee and its
9 chairman.

10 REPRESENTATIVE O'BRIEN: Thank you,
11 Mr. Chairman.

12 Thank you, Madam Chair.

13 CHAIRMAN JOSEPHS: We want to thank you,
14 Mr. Marsico. We are always, since you are a colleague,
15 open to your further information and suggestions.

16 Thank you for being here. Thank you for
17 being brief, particularly.

18 Call up the Honorable Sandy Vito, Secretary
19 of the Pennsylvania Department of Labor.

20 Whenever you're ready, Secretary Vito.

21 REPRESENTATIVE VITALI: Good morning,
22 Chairperson --

23 CHAIRMAN JOSEPHS: And I'm going to cut you
24 off at about six minutes.

25 SECRETARY VITO: Six minutes. Okay. Thank

1 you.

2 Good morning, Chairman Josephs, Chairman
3 Benninghoff, and members of the committee. Thank you for
4 the opportunity to testify today.

5 As we all know, the demand to meet the
6 needs of our citizens has increased over the last several
7 years; and given that we're in the -- one of the most
8 challenging economic times in at least a generation,
9 where all the departments are striving to provide
10 services more frugally and efficiently, House Bill 1359
11 contradicts these responsibilities.

12 When similar legislation was introduced in
13 2008, a fiscal analysis estimated that -- that the cost
14 would be about 12 million to the Commonwealth. Given the
15 increased demand in services, that estimate has increased
16 to \$23.5 million for the cost of this bill.

17 The legislation would add \$3.5 million to
18 the Department of Revenue; two million to DPW, the
19 Department of Public Welfare; 1.8 million to PHEAA,
20 \$842,000 to Insurance; and the Department of Labor and
21 Industry alone would bear the cost of \$15.2 million,
22 including \$10.2 million for an estimated 54,000
23 additional hearings before the Unemployment Compensation
24 Review Board.

25 The reason one -- one of the biggest

1 reasons for the increase in cost estimate is that we now
2 are processing about three million initial unemployment
3 compensation claims through -- January of 2009 through
4 July 2010, and that's really double the number from in
5 the past.

6 We've replaced the way we do unemployment
7 claims from a very costly, individual, labor-intensive
8 system to one that relies on the Internet and telephone
9 systems. 1359 would move us in -- backwards.

10 And here's why. We would need to require
11 each individual to either mail to us or bring to us a
12 verification of their citizenship. That would delay the
13 system, delay the payment of benefits greatly.

14 Similarly, additional costs for Revenue and
15 Community Economic Development would also include the
16 cost of implementing the SAVE system, which is already in
17 use from the Department of Public Welfare but DCED does
18 not have that. That would be an additional \$328,000 just
19 to implement SAVE.

20 So the provisions of this bill would add to
21 the cost of providing services and at the same time delay
22 providing those services to the people who are entitled
23 to them.

24 Governor Rendell has emphatically said that
25 he supports public benefits to those who are entitled to

1 them. Our opposition to 1359 stems from wasting public
2 resources to duplicate and dilute procedures already in
3 use.

4 The redundant measures that are -- are
5 required in this legislation would delay delivery of
6 many, many types of services. Services, again, that
7 people are rightfully due.

8 The legislation would require all
9 individuals applying for benefits, even individuals with
10 government-issued identification, to provide proper --
11 proof -- positive proof of identification.

12 Until verification through the SAVE system,
13 the legislation would allow benefits to be paid solely on
14 the basis of a signed affidavit, which frankly is in
15 contradiction of the unemployment compensation law.

16 Nonetheless, getting the affidavit into the
17 system would cause delay of the payment of benefits and
18 could be something that triggers us to be in
19 noncompliance with our federal requirements from the U.S.
20 DOL to pay unemployment compensation benefits in a timely
21 manner.

22 The public -- the Department of Public
23 Welfare and Labor and Industry already use procedures to
24 ensure that individuals who are entitled to benefits are
25 either citizens and/or documented workers.

1 It would jeopardize over a hundred million
2 annually in administrative funding for the -- for the
3 unemployment compensation system if we were to fail to
4 comply with federal guidelines.

5 It would clearly adversely affect the lives
6 of hundreds of thousands of people. It would mean for
7 the 600,000 people seeking property tax and rent
8 rebates -- it would mean significant delays for those
9 individuals.

10 Individuals who -- students who apply for
11 student loans would also experience delays. Farmers --
12 farmers who apply to the Department of Agriculture for a
13 grant or loan would also experience delays.

14 Federal and state laws already require
15 applicants for cash assistance, food stamps, medical
16 assistance to provide proof of citizenship. Individuals
17 applying for rent rebate would -- individuals applying
18 for rent rebate are already on the tax rolls. We know
19 that because they wouldn't be able to apply for rent
20 rebate if they weren't already on the tax rolls.

21 Federal law also requires those applying
22 for unemployment benefits or workers' compensation to
23 have provided documentation related to their proof of
24 eligibility to work in this nation to their employer.

25 So, in conclusion, let me just sort of say

1 the thing that struck me about this legislation that I
2 think was that I thought Republicans and Democrats would
3 come together in opposition. So often Democrats are
4 criticized for adding to the cost of government.
5 Republicans are criticized for reducing much-needed
6 services. House Bill 1359 manages to ensure both
7 negative outcomes.

8 So we're adding costs and constraining
9 services through this piece of legislation and I, on
10 behalf on the administration, would submit that that
11 makes us equally poor stewards -- stewards of the public
12 interest.

13 The bill is redundant. It is costly and
14 will create significant delays for people who are
15 eligible for the services. So the administration stands
16 in opposition to the bill.

17 CHAIRMAN JOSEPHS: Thank you. Thank you.

18 Any questions?

19 Mr. Chairman Benninghoff.

20 REP. BENNINGHOFF: Thank you, Madam
21 Chairman.

22 Madam Secretary, I'm having a little
23 trouble following some of your numbers. You had said
24 this would increase costs about \$23 million. Is that on
25 an annual basis?

1 SECRETARY VITO: Yes.

2 REP. BENNINGHOFF: I look at the fiscal
3 note for Senate Bill 9, which is almost a mirror of this
4 legislation, and their annual fiscal note is just shy
5 of -- well, just over \$700,000 this year.

6 That seems to be a large disparity. I'm
7 interested, as was proposed to Chairman Marsico, to find
8 out where your numbers came from, who put it together.
9 It just seems awful extreme.

10 Unfortunately, sometimes you debate and
11 throw those number out and it kind of confuses the
12 issue.

13 Can you give us that documentation of where
14 those numbers came from?

15 SECRETARY VITO: We do. We're happy to
16 submit it to the committee.

17 But just as -- for a couple of highlights,
18 the fiscal note that we submitted, at least my
19 information tells me that the Governor's office submitted
20 fiscal information of \$12 million for Senate Bill 9, not
21 700,000, and here's some of the bases for the costs.

22 The -- the increase -- and moving it to 23
23 million is because of the increase in demand for
24 services, persons applying for AdultBasic who are on a
25 wait list, persons on the wait list must meet the

1 eligibility requirement.

2 By the Insurance Department current
3 projections, the wait list will hit 282,000 by the
4 beginning June of 2009, up from 92 from 2007.

5 L and I, we reduced our estimates based on,
6 first, the additional claimants that we're seeing. In
7 addition because of the burden to the Unemployment
8 Compensation Review Board which were originally left out
9 of the estimates.

10 So that assumes two percent of 1.2 million
11 new or re-opened claims are delayed or denied because of
12 the bill. That's 60,000 cases added to the appeal list.
13 Ninety percent of the persons who are denied on an -- on
14 an appeal would -- 90 percent of persons who are denied
15 file an appeal to the board of review, which would then
16 go -- increase the demand.

17 So there's two levels of appeal at the
18 unemployment compensation.

19 REP. BENNINGHOFF: All right.

20 SECRETARY VITO: And the --

21 REP. BENNINGHOFF: I don't mean to cut you
22 off here, but it seems to me you're kind of clouding the
23 point here.

24 Real quickly, if we're talking about
25 increasing costs for undocumented citizens, what do you

1 base your numbers on and how do you know what the numbers
2 are going to be?

3 SECRETARY VITO: We -- that's what I was
4 just explaining. We estimated how many additional
5 appeals were likely to result as a result of the -- of
6 the -- one of the pieces of analysis, how many additional
7 appeals, and we estimate them at two percent of 1.2
8 million claims, which is not unreasonable, and that
9 increases the appeal case load by 60 percent -- percent.

10 In addition, there are costs related to
11 actually processing and documenting the information that
12 people would now have to send to us.

13 So we have an estimate for each department
14 related to the specific costs of implementing this, and I
15 can go through it again. It's \$842,000 for Insurance.

16 REP. BENNINGHOFF: That's all right. Just
17 for brevity, you provide the documentation to us. And I
18 don't want to cut you off, but are some of these people
19 already provided services?

20 SECRETARY VITO: Yes.

21 REP. BENNINGHOFF: So are we counting them
22 twice under this scenario?

23 SECRETARY VITO: We're counting the extra
24 work to process their claims, as well as the extra
25 appeals that are likely to result because of individuals

1 who did not -- who were eligible for benefits, for
2 instance, but who did not provide the proper
3 documentation to us.

4 REP. BENNINGHOFF: All right. Well, I
5 don't want to split hairs with you, but it just seems
6 like the bureaucracy mumbo jumbo. You know, very
7 important to this process and adding to the -- Ron's bill
8 and also the Senate bill, so it's going to exacerbate the
9 costs, almost double the costs from what the Governor's
10 own estimate is on Senate Bill 9 from 12 to 23 million.

11 With that said, I'll just ask you for your
12 definition, one word to describe. You said that the
13 Governor feels that those who are entitled to them should
14 be provided the services. What's the definition of being
15 entitled?

16 Because I think that's sort of the crux of
17 today's conversation. I don't think anyone wants someone
18 to go hungry, but there's procedures for people to be
19 eligible, whether it's, you know, the assistance office
20 or driver's license or anywhere else, and the majority of
21 the community is expected to follow those with the
22 guidelines.

23 I'm curious as to what the difference is in
24 the definition of entitled.

25 SECRETARY VITO: The people who are

1 entitled to benefits are defined by each of the programs,
2 either federally or at the state level.

3 But what I meant by that and what's in my
4 written testimony is individuals who are citizens and/or
5 documented workers.

6 REP. BENNINGHOFF: Legal citizens?

7 SECRETARY VITO: Yes.

8 REP. BENNINGHOFF: Just for clarification.

9 SECRETARY VITO: Yes.

10 REP. BENNINGHOFF: Okay. Well, if I'm 16
11 and I take a driver's course, I'm entitled to get a
12 driver's license. Correct? I met the requirements. I
13 pass the test. I get a driver's license.

14 SECRETARY VITO: Yes.

15 REP. BENNINGHOFF: Why should that be any
16 different for any other citizen, whether it's in food
17 supplies, whether it's getting a driver's license, or
18 anything else that's paid for by taxpayers' dollars?

19 I think that's really what Chairman
20 Marsico's bill is about, having commonality in our rules,
21 in our -- our requirements to be eligible for taxpayer
22 subsidized services.

23 I don't think -- it's not any different,
24 and why is that not in some ways unfair to those people
25 who do follow the procedures?

1 \$728 million in benefits that persons are receiving to
2 which they're not entitled, wouldn't that be proper
3 stewardship?

4 SECRETARY VITO: Again, I -- I want to
5 respectfully disagree with Representative Marsico. We do
6 not estimate that we will save that amount of money.

7 I just want to give you a quick piece of
8 information. Of all the checks we did last year and
9 investigations related to people who potentially were not
10 documented workers, we did 16,000 SAVE checks, 21 illegal
11 immigrants were found.

12 REPRESENTATIVE GRELL: Okay.

13 SECRETARY VITO: Which would not have saved
14 us anywhere near that kind of money.

15 REPRESENTATIVE GRELL: Okay. I certainly
16 agree with that if that's the case. That sort of leads
17 to my second question.

18 At the bottom of Page 2 of your written
19 testimony, you talk about the procedures that are in
20 place at the Department of Public Welfare and suggest
21 that they exceed the requirements of House Bill 1359.

22 Are you aware of what those procedures are
23 and how many ineligible persons have those procedures
24 discovered?

25 SECRETARY VITO: I don't know the

1 information for the Department of Public Welfare, but I'm
2 sure we could submit it to you. I will say that the
3 Department of Public Welfare already uses the SAVE
4 system.

5 REPRESENTATIVE GRELL: Okay. I would
6 appreciate that because if, in fact, what we're already
7 doing already exceeds the requirements of this
8 legislation and is proven to be successful, then that
9 would make a pretty persuasive argument.

10 So if you or somebody from the department
11 could provide that information, it would be helpful to
12 the committee. Thank you.

13 CHAIRMAN JOSEPHS: Yes. Ms. -- Madam
14 Secretary, if you would submit that to me, I will make
15 sure that it get circulated.

16 And I also want to mention that we will
17 circulate this, I guess, at the end of the meeting --
18 that we have testimony from the Commonwealth Foundation
19 in writing. We'll get that to everybody.

20 Are there any other questions?

21 Madam Secretary, thank you very much.
22 Appreciate your brevity and the quality of your
23 testimony.

24 Mr. Froehlich, staff attorney from
25 Community Legal Services.

1 We're doing great here. We only used about
2 three minutes of your time. Not bad.

3 MR. FROEHLICH: Good morning. Good
4 morning. Thank you very much. My name is Mike Froehlich
5 and I'm an attorney with Community Legal Services and
6 I've been working on benefit issues for over ten years,
7 although this is my first time that I've ever appeared in
8 front of a committee. So thank you very much for
9 inviting me today.

10 Our Community Legal Services, as many
11 people know, work with low income families in
12 Philadelphia and provide technical assistance to many of
13 the legal services for both programs throughout the
14 Commonwealth. That includes, I imagine, in your -- in
15 your -- assistance for your constituents.

16 The reason that we oppose House Bill 1359
17 is that it would impose a significant amount of -- of red
18 tape that would harm hundreds of thousands of U.S.
19 citizens and legal immigrants when they go to apply for
20 very critical benefits that they need in -- in this
21 economy.

22 I understand from listening to
23 Representative Marsico that the bill's intended targets
24 who -- are immigrants who are not lawfully residents of
25 the United States, but they're already ineligible for all

1 major benefit programs.

2 And the -- and the representative and none
3 of the proponents have -- have -- have argued at all that
4 this is a widespread problem. In my 13 years of doing
5 this, I've never seen or -- or heard of an undocumented
6 immigrant. I just say I've heard of it in other states
7 but not in Pennsylvania.

8 I've never seen or worked with any
9 undocumented immigrant who is receiving benefits
10 fraudulently.

11 Our -- as I say more in my written
12 material, the primary concern with this is that it would
13 require applicants for public benefits to provide a
14 government-issued ID, and I -- I think for many of us,
15 myself included, my government-issued ID is in my wallet
16 right now. It doesn't seem like a big deal.

17 Representative Benninghoff, you mentioned
18 why shouldn't people all have to play by the same rules,
19 and I think in theory I agree with that. But how it
20 plays out on the ground is that there are about half a
21 million low-income Pennsylvanians that are estimated to
22 not have that ID. There are 350,000 seniors in
23 Pennsylvania that don't have that government-issued ID.

24 So who are these people? You know, who --
25 who are these people that they're walking around without

1 government-issued ID?

2 In my written material I included about 12
3 or 13 or 14 stories. I think actually that might be the
4 most interesting part of this -- of my testimony, to be
5 frank. And -- and they sort of explain, well, who
6 doesn't have government-issued ID? These are people who
7 are -- who are getting out of prison and they're trying
8 to put their lives together; who are domestic violence
9 survivors who are fleeing their abusers, who don't have
10 time to stop and get their papers. They're homeless
11 people. There's -- there's mentally ill people.

12 You know, I've -- I've spoken with -- with
13 some of you and some of your staff, as well as some of
14 the Senators, and I think this is the thing that I have
15 the most trouble sort of explaining, who are these people
16 who don't have government-issued ID? And if they don't
17 have government-issued ID, why don't they just go get
18 it?

19 And that's the problem at this point, that
20 in this post 9/11 world, getting government-issued IDs
21 can be not just time consuming, takes months and months
22 to get it, but also it just makes me pull my hair out.

23 You -- you -- see, if somebody doesn't
24 have a post -- the problem is you need a PennDOT ID, a
25 Social Security or birth certificate. And, boy, if you

1 have -- if you have -- if you don't have one of those
2 three things, then we can work with you. We can get a
3 duplicate.

4 But if -- you know, God forbid if you don't
5 have a birth certificate and your Social Security card.
6 But if you don't -- pardon my language -- but you're kind
7 of screwed. You have to then obtain medical records.
8 You may have to, you know, go get your school records
9 from -- from another state if you went to school there.
10 Your military record, your church records, you know, to
11 make -- to see when you were baptized.

12 We've got to, you know, oftentimes file a
13 Freedom of Information Act request, a Social Security
14 Administration, and that costs \$15 that lots of people
15 don't have and can take eight to ten weeks.

16 You know, I'll tell two quick stories of
17 people I'm currently working with. One is a -- is -- a
18 woman came into my office with her mother. Her mother is
19 about 55 years -- years old and her mom was born in
20 Virginia and her mom had this -- this -- this medical
21 record that said the hospital she was born in and when
22 she was born.

23 And I thought this would be like a slam
24 dunk case. Right? You just had to write to the Virginia
25 Department of Vital Records, send a check for \$12, and

1 there you go.

2 Last week -- she came in June -- June or
3 July. Last week I submitted for the fourth time the
4 request, and what it -- it's October 5th right now. So
5 it's been four or five -- three or four months.

6 Those requests just keep getting denied
7 for -- for what seem to be completely arbitrary reasons.
8 The last time it was denied because they said my -- my
9 signature was illegible.

10 Now, I can understand that there might be
11 some bureaucratic reasons, and, God forbid, I -- I don't
12 want IDs going out to people who aren't that person on
13 the ID.

14 But at the same time, because this process
15 was taking -- it took so long for this woman and it's
16 still ongoing, I mean you can imagine if she needed a
17 benefit, if she wanted to apply for the property tax and
18 rebate program, she would be ineligible.

19 If she wanted to apply for HEMAP because
20 her house was being foreclosed upon, she would not be
21 eligible for it. She would have been foreclosed upon and
22 homeless long ago.

23 If she wanted to apply for some food
24 programs, if she wanted to apply for -- for county
25 behavioral health services, she just wouldn't be able to

1 do it.

2 I said two stories, and maybe I'll just
3 tell a quick one and move -- move on. The other fellow
4 that comes to my -- that comes to mind is a guy keeps
5 calling me every day asking me if he's gotten his birth
6 certificate in.

7 His problem is that he got evicted by his
8 landlord for not paying his rent. His fault. He didn't
9 pay rent. But his landlord threw away all his stuff, and
10 so he's one of these people who doesn't have anything and
11 is starting to re-create everything from scratch.

12 I want to respond to two comments as I've
13 been sitting and listening. One, Representative Grell,
14 you made a -- a point about if it's only -- you know, to
15 Secretary Vito. If it's only going to cost a certain
16 amount of money but the FAIR study says it will save \$700
17 million, is that a good investment? And I would argue,
18 no, it's not.

19 Because if this bill, House Bill 1359, does
20 not -- if it passed, it would not change anything in that
21 FAIR study.

22 The FAIR study is based on education
23 costs. You know, the schooling for -- and not only
24 schooling for undocumented kids but citizen kids that are
25 suspected to be related to undocumented parents.

1 So this bill isn't going to affect those
2 folks. The -- the FAIR study says that they estimate
3 that there are 600 undocumented Pennsylvanians in jail.
4 This bill isn't going to, you know, open up the jails and
5 let those folks out. So we're spending, you know,
6 incarceration dollars for them.

7 This bill -- the -- the FAIR study talks
8 about emergency room costs, I think as Representative
9 O'Brien had said. This bill, you know, you can't just
10 turn away people. You can't board up the emergency rooms
11 and turn away people.

12 And I think there was one other thing that
13 they said. Medicaid, incarceration, yeah, and -- and --
14 oh, also I should also mention in -- and when -- when
15 Representative Marsico, he promised to circulate the
16 study, he fails also and -- to say that, you know, the
17 FAIR study also admits that -- that undocumented parents
18 do pay taxes. You know, they pay cost -- according to
19 their study, about \$200 million in taxes. And I would
20 argue it's even higher than that.

21 You know, I think, Representative
22 Benninghoff, you mentioned earlier, you know, you throw
23 numbers around and you confuse the issues. So I don't
24 want to throw too many of these numbers around, but I
25 mean maybe I'll just close with one thing.

1 You know, I think this -- this bill is sort
2 of a -- it's kind of like a -- a solution in search of a
3 problem. It will impose all this -- these unfunded
4 mandates on -- on -- on counties and cities and
5 Commonwealth agencies and -- and the collateral -- the
6 collateral damage that it will have on families,
7 especially seniors in Pennsylvania, domestic violence
8 survivors, low income folks, mentally ill folks, folks
9 who are getting out of prison and trying to put their
10 lives back together, it will just be extraordinary.

11 And I -- I have yet to see that the bill is
12 necessary. But I sure see the cost that the bill will
13 have on the people that I work with.

14 Thank you.

15 CHAIRMAN JOSEPHS: Mr. Froehlich, I think I
16 said your name wrong. Thank you. I'll say it right this
17 time.

18 Any questions? Mr. Gabler.

19 REP. GABLER: Thank you for your
20 testimony. Just a quick question.

21 I was interested in the -- the comment that
22 you made about the undocumented immigrants paying taxes.
23 My understanding of our tax system is such that we've got
24 know where to find somebody in order to charge them the
25 taxes.

1 Now, I would freely offer, I guess, the
2 notable exception which is sales tax. But aside from
3 sales taxes, how -- how would -- how is it possible for
4 -- that the government would be collecting the taxes from
5 undocumented immigrants?

6 MR. FROEHLICH: Right. I'm -- I'm going to
7 defer that answer. I saw in the agenda that there is
8 somebody from FAIR or FAIR association groups speaking in
9 favor of the bill.

10 It was their study that talks about the --
11 the -- I think it's \$200 million they mention. I think
12 it's \$200 million. And they might be in a better
13 position to answer it.

14 I know some of it was sales tax, but I
15 recall there was other taxes in the study as well.

16 REP. GABLER: Thank you very much for that.
17 I would submit that an immigrant -- one thing in a number
18 of allegations that I would be interested in hearing is
19 what is the difference between -- if somebody was fully
20 documented, how much they would pay versus the amount of
21 taxes that they are paying being undocumented.

22 Thank you very much.

23 CHAIRMAN JOSEPHS: We've been joined by
24 Mr. Gibbons, and Mr. Cox has a question.

25 REP. COX: Thank you, Madam Chairman.

1 I just want to make sure I understand your
2 role in this process. Do you help in the obtaining of
3 benefits for those who have had trouble with that? Is
4 that part of what you do?

5 MR. FROEHLICH: What? I couldn't hear
6 you.

7 REP. COX: Do you assist in helping people
8 get benefits when they've had trouble getting them or --

9 MR. FROEHLICH: Yes. Yes.

10 REP. COX: I just wanted to make sure that
11 was --

12 MR. FROEHLICH: Right.

13 REP. COX: -- part of your role.

14 MR. FROEHLICH: Both. Both getting on
15 benefits and getting off benefits.

16 REP. COX: Okay.

17 MR. FROEHLICH: Welfare to work programs
18 and subsidized child care and all that.

19 REP. COX: The people that you help, the
20 average person, what level of assistance do they
21 ultimately need, over the course of time might they be
22 eligible for here? Are we talking about \$2,000 of costs
23 in a year, \$20,000? What kind of numbers are you --

24 MR. FROEHLICH: Right. It's a good
25 question.

1 So a family -- let's say -- Secretary Vito
2 was here earlier and she does a lot with the unemployment
3 compensation system.

4 As you may know or the committee may know,
5 there's a -- you know, tens of thousands of
6 Pennsylvanians who have -- have gone through their
7 unemployment, who are no longer eligible for
8 unemployment, who still have not been able to find a job
9 in this economy, those folks -- let's say a family of
10 three, just to pick one out. A typical family of three
11 was going to get \$403 per month in cash assistance
12 welfare and about \$450 in food stamps, plus federally
13 funded Medicaid.

14 REP. COX: Okay. Doing the math, let's say
15 four -- four -- is that four on top of four?

16 MR. FROEHLICH: Right. 403 in cash, 450 in
17 food stamps.

18 REP. COX: Okay. So 850 roughly and then
19 on top of that you said there was also the federal --

20 MR. FROEHLICH: Federally funded Medicare,
21 yes.

22 REP. COX: Okay. So let's say a thousand
23 dollars, is that per month?

24 MR. FROEHLICH: Per month.

25 REP. COX: Is that FAIR?

1 MR. FROEHLICH: Right.

2 REP. COX: Okay. So \$12,000 across a year,
3 for me that might be a good estimate.

4 MR. FROEHLICH: Yes.

5 REP. COX: You might guess where I'm going
6 with this, \$15 dollars to receive \$12,000.

7 MR. FROEHLICH: Right.

8 REP. COX: Why was that a burden?

9 MR. FROEHLICH: You -- and -- it's not just
10 the cost, first of all. I will say that \$15 -- you know,
11 if you have zero, \$15 dollars might as well be \$50
12 million.

13 I -- I went to traffic court -- I never go
14 to traffic court on behalf of a client. But I went to
15 traffic court on behalf of this guy last week because he
16 had some -- some old traffic tickets, and as a result of
17 having traffic tickets, he -- the judge issued a bench
18 warrant.

19 And -- and like every week the guy kept
20 going in front of the judge saying, I can't get any kind
21 of benefits because I have these traffic tickets, would
22 you lift it? And the judge said, I mean quite
23 reasonably, 50 bucks. If you make \$50 downpayment on
24 account, on this -- on this payment plan and -- and we'll
25 lift the bench warrants.

1 And this guy went without benefits for
2 months because he didn't have \$50. Because \$50 -- like
3 I -- I was going to say I have \$50 in my wallet but I
4 don't right now.

5 But \$50 I could get pretty easily. But if
6 you have zero and you -- and you don't have any family
7 support, then whether it's 50, 15, or 50 million, you
8 know, it's unobtainable.

9 REP. COX: I'm -- you know, I'm looking at
10 the -- the cost benefit here. I mean we've got a crisis
11 looming --

12 MR. FROEHLICH: Yes.

13 REP. COX: -- in Pennsylvania.

14 MR. FROEHLICH: Yes.

15 REP. COX: Some would say it's already
16 hit. We've got \$3 billion coming down the pike -- we
17 don't know exactly when it's going to be due -- just in
18 our unemployment compensation alone. We've got the
19 pension crisis.

20 We've got to do things to address the
21 fraud, to address the problems that have been
22 identified. The Auditor General has identified problems
23 with fraud, stolen funds, you name it. There have been
24 problems identified in numerous systems within our
25 government.

1 I'm looking at all the testimony here and
2 I'm like you, I don't see anybody. There's -- there's
3 nobody in this stack of testimony that I see is going to
4 say they like this bill.

5 CHAIRMAN JOSEPHS: Yes, there is.

6 MR. FROEHLICH: There's one to come.

7 REP. COX: Okay. One out of seven.

8 However you --

9 CHAIRMAN JOSEPHS: Mr. Cox, we opened this
10 to everybody. We asked the defenders of the bill to give
11 us names of people and we went to Mr. Marsico and there
12 are two others and there's some written testimony as
13 well.

14 I have an opinion, but I do try to be
15 fair.

16 REP. COX: Well, I guess my bigger question
17 is, you don't like this. Give us some suggestions.
18 We've got to figure out ways to make sure that only those
19 who need it are getting it. That's -- that's where we
20 need to go with this.

21 Whether you like this or -- if you don't
22 like this, I'm asking for recommendations. What do you
23 recommend to us?

24 MR. FROEHLICH: Right. And thank you very
25 much for asking that question. I would -- I would really

1 love to talk with you more and after we're done I will
2 give you my card and we can -- we can brainstorm.

3 I've got plenty of -- of ideas. Some I
4 think we can agree on.

5 REP. COX: Right.

6 MR. FROEHLICH: But I think it might be
7 outside the scope of this.

8 REP. COX: Can you toss out a couple high
9 level ones that -- you know, what's the low hanging fruit
10 there?

11 MR. FROEHLICH: I can't. I think the first
12 low hanging fruit is to really get a sense of that MA,
13 that -- that -- the audits that have been done, you know,
14 I think there was a special allowance audit that was done
15 that I think DPW has done a real good job of like
16 changing its processes now to -- to address those.

17 There was some -- some questions about
18 is -- is DPW addressing -- collecting all of the -- the
19 verification requirements to establish Medicaid
20 eligibility. I think they made great strides in that.

21 But I think there -- there potentially are
22 more that, like I said, I'd be happy to chat with you
23 more about.

24 REP. COX: Thank you.

25 Thank you, Madam Chair.

1 CHAIRMAN JOSEPHS: I would like -- we are
2 running over time here.

3 We've been joined by Mr. Krieger here.

4 Mr. Geesey, if you would like to come up,
5 it's my -- and sit with us, it's my --

6 MR. GEESEY: No, that's okay. Thank you.
7 I've got another meeting. I was just --

8 CHAIRMAN JOSEPHS: Okay. Mr. Roae had his
9 name up -- his hand up. I don't want to cut you off,
10 Mr. Roae, but we want to move on to Pennsylvanians for
11 Immigration Control and Enforcement.

12 Mr. Froehlich, you will stay around?

13 MR. FROEHLICH: Sure.

14 CHAIRMAN JOSEPHS: This is -- I'll ask you,
15 I'll call on you, Mr. Roae, if you want.

16 REP. ROAE: No. That's fine.

17 CHAIRMAN JOSEPHS: Thank you, Mr. Roae.

18 Thank you, Mr. Froehlich.

19 Looking for Kathleen and Carol from the
20 Pennsylvanians for Immigration Control and Enforcement.

21 I -- I like to think of these hearings as
22 sort of teasers. There's lots more information. The
23 witnesses on all sides of these issues would be very
24 happy to give you more information. We just really want
25 to keep on time.

1 One thing that I would like to have,
2 perhaps Mr. Marsico can supply it to us, is the FAIR
3 study. And if he can't, perhaps someone else on the
4 witness list can. And I will distribute it if you can
5 get it to me. Thank you.

6 Ms. Appell.

7 MS. APPELL: Thank you, Chairman Josephs
8 and everyone in attendance, for the opportunity to
9 testify and also thank you for pronouncing my name
10 correctly.

11 My name is Kathleen Appell and I am a media
12 coordinator for Pennsylvanians for Immigration Control
13 and Enforcement. The acronym being PA4ICE.

14 In a little more than five years, the
15 PA4ICE has evolved from a small group of local citizens
16 concerned about the escalating illegal immigration to
17 later joining with thousands of other like groups in
18 virtually every state in the nation.

19 The majority of these groups work in tandem
20 with national organizations such as NumbersUSA and FAIR.

21 Most recently, we are working with,
22 although not part of, the multitude Tea Party and 9/12
23 and other Patriot groups, educating their members on the
24 impact of illegal immigration.

25 We also provided updated information on the

1 positions and voting records of various candidates and
2 elected and appointed officials on issues specifically
3 related to illegal immigration.

4 It is my hope that PA4ICE can contribute a
5 valuable perspective to discussions regarding proof of
6 citizenship as a prerequisite to the receipt of public
7 benefits.

8 Not only -- I -- I'm listening to everyone
9 else advocating, and my one question is, and I wish
10 someone would answer, every single person who advocates
11 for the presence of illegals benefits in some way.

12 I'm speaking on behalf of the people who
13 are paying for everybody else to benefit. So aside from
14 the PA4ICE, I -- I feel I'm a voice for the everyday
15 citizen.

16 Not only should we require ID, we're at a
17 point now where we must. Elected officials' sworn oaths
18 of office, government employees' obligation to uphold our
19 laws and the burden to the taxpayer for the cost of
20 public benefits dictates that we no longer have the
21 luxury of continuing the policy of close your eyes and
22 authorize.

23 The Federation for American Immigration
24 Reform's most recent study actually concludes that the
25 cost to incarcerate and educate and medi -- educate

1 undocumented in Pennsylvania actually increased from 768
2 million to \$1.4 billion a year. That's astonishing news
3 to the taxpayers, albeit it's only a partial accounting
4 for the real costs associated with the undocumented.

5 A total of \$1.4 billion a year for services
6 provided to undocumented persons who reside with impunity
7 in Pennsylvania should be enough to convince any elected
8 officials of the need to remedy taxpayers bearing the
9 cost for lax government oversight.

10 Mandating proof of citizenship prior to
11 receipt of public benefits is one small step which will
12 ensure the loss of yet one more benefit to people who
13 have no right to be in this state or country and one very
14 positive message to the constituents you represent who
15 are burdened with paying millions of dollars for the
16 services provided to them.

17 The ever increasing number of taxpayers
18 educated on the impact of those undocumented in this
19 state and country are no longer so naive as to accept the
20 excuses for the presence of the undocumented persons and
21 the crimes and costs associated with them from
22 legislators, farmers, manufacturers, union, the Chamber
23 of Commerce, and other special interests groups that all
24 profit by blatantly violating our laws by simultaneously
25 expecting law-abiding citizens to pay so as to enable the

1 criminal behavior.

2 Government in Pennsylvania constantly
3 reminds us of existing dire economic conditions and the
4 need to toll any and everything that is covered in
5 concrete. Simultaneously, residents are growing
6 increasingly resentful of steadily rising taxes
7 coinciding with decreasing economic conditions.

8 How does a government justify increasing
9 taxes or mandating new tolls while spending 1.4 billion,
10 which is just a portion actually of what -- of what we
11 pay of our tax money for state services provided to
12 undocumented persons?

13 Mandating identification of legal presence
14 in the United States as a prerequisite to the receipt of
15 public benefits is a logical, albeit minuscule, step
16 towards ensuring taxpayers are not further penalized due
17 to lax government oversight.

18 Recently Governor Rendell prided himself on
19 a commercial many people labeled offensive, citing Big
20 Brother overtones. Displaying a pinpoint location on a
21 screen, the message -- and I'll paraphrase -- we know
22 where you are and we're coming after you. You are a
23 criminal. And other such offensive remarks meant to
24 intimidate those who owe taxes.

25 At the conclusion of the ad run newspapers

1 touted the fact that embarrassing Pennsylvanians late
2 paying their taxes worked so well that consideration was
3 being given to use the same tactic for other purposes.

4 Mayor Nutter touted the revenue amount
5 returned to his -- to Philadelphia as a result of the
6 intimidating ad. Coinciding with his pride at the monies
7 that were returned for back taxes, he also announced that
8 he declared Philadelphia a sanctuary city welcoming any
9 and every --

10 CHAIRMAN JOSEPHS: Ms. Appell -- Appell --
11 now I can't say it. I'm sorry.

12 MS. APPELL: Appell.

13 CHAIRMAN JOSEPHS: If you could begin to
14 wrap up.

15 MS. APPELL: Okay. All right. My question
16 is -- to you is what is the difference? I'm sure all of
17 you participated in the -- in the advertisement. What is
18 the difference between those who owe taxes and those who
19 steal our tax dollars via services provided to people who
20 have no right to be in this state and country?

21 There was expressed satisfaction regarding
22 the collection of millions of back taxes as a result of
23 intimidating and threatening U.S. citizens. Why then is
24 our government not running ads to recoup billions of
25 dollars by informing illegal aliens that we know where

1 they are and we're coming after them?

2 I'd -- I'd be glad to answer any questions
3 or provide information.

4 CHAIRMAN JOSEPHS: Thank you. Thank you.

5 Any questions? I have one, but I want
6 other people to be able to proceed.

7 Your interpretation of the statute, because
8 it doesn't say -- I'm interested in knowing, we provide
9 child care for many reasons. First of all, to prepare
10 children for school. But also so that if they have a
11 single parent or two working parents that their parents
12 can go to their job.

13 Do you -- would you count child care as a
14 benefit to people under 18 or a benefit to adults who are
15 going to work? Would it fall under this bill in your
16 interpretation?

17 MS. APPELL: If it's provided to people who
18 are here legally, then I have no problem with it. If
19 they're here illegally, then I do have a problem with
20 it.

21 Because I don't find anything noble in
22 feeding other people's children while ours go hungry. We
23 have 1.7 million --

24 CHAIRMAN JOSEPHS: My question is do
25 these -- do child care services fall under this -- fall

1 under this bill?

2 MS. APPELL: I -- quite honestly --

3 CHAIRMAN JOSEPHS: In your interpretation.
4 I don't know the answer.

5 MS. APPELL: My interpretation is that
6 anyone, any services in Pennsylvania, is because -- it's
7 a joke about who -- I mean in Bucks County, they all know
8 where to go, they all know where to get the money, and
9 they're undocumented. So when you say child protective
10 services, I --

11 CHAIRMAN JOSEPHS: No. Child care.

12 MS. APPELL: Child care. I -- no,
13 absolutely not. Not if they're undocumented and -- and I
14 think that's what the representative is alluding to, that
15 we have to cut back on services provided, because these
16 illegals have mistaken our kindness for weakness.

17 CHAIRMAN JOSEPHS: Thank you. Thank you.
18 I understand your answer.

19 Any other questions?

20 Mr. Frankel.

21 REP. FRANKEL: Just a comment. It seems to
22 me that one of the issues that we have to grapple with
23 here is -- I mean between the testimonies that we're
24 hearing about and reading, we're talking about two
25 different universes of numbers. I mean it is, you know,

1 absolutely so far apart in terms of what the dimensions
2 of what this problem are.

3 As we heard from the Secretary of Labor it
4 -- it is not as extensive as -- as is \$1.4 billion that
5 was just testified to here.

6 Then there are the issues which even this
7 bill doesn't address that there are significant costs
8 with respect to education. We are exempting children
9 under 18 years of age. Is that a substantial part of
10 it? Who may be here who are legal with undocumented
11 parents?

12 So I think -- from my standpoint I think we
13 need to get some sense, with some unbiased information,
14 with respect to what are -- what is -- what are the
15 dimensions of the problem.

16 Because it's just -- we're sitting here
17 listening to two different realities, two different
18 universes, and I think from my standpoint before I
19 would move forward with any type of legislation like
20 this, I'd want to have that kind of nailed down.

21 CHAIRMAN JOSEPHS: Mr. Frankel, a very
22 sound observation. I don't doubt that there are millions
23 and millions of people in this country who don't have
24 documents for one reason or another. Whether or not
25 they're accessing public benefits is the question for

1 me.

2 Any -- any more discussions? That's why I
3 keep asking for all of the studies. And, Ms. Appell, if
4 you would like to submit something written -- I noticed
5 that you gave something to the steno -- and to my office,
6 I will make sure that it's circulated.

7 Ms. -- Ms. Hung.

8 Oh, did I -- please start. Associate
9 director of AARP. You're on. And we're only a minute
10 behind. Sorry for being so compulsive.

11 DIRECTOR HUNG: My remarks are brief so
12 I'll rush through them.

13 Good morning. My name is Desiree Hung.
14 I'm the Associate State Director for Advocacy for AARP
15 Pennsylvania. AARP Pennsylvania strongly opposes the
16 passage of House Bill 1359 because of the devastating --
17 devastating effect it would have on many of the
18 Commonwealth's Boomers.

19 Boomers are a large and important part of
20 the population in Pennsylvania. According to the U.S.
21 Census 3-year American Community Estimate more than three
22 million people in Pennsylvania are between 45 and 64
23 years of age.

24 Many Pennsylvania seniors rely on a variety
25 of public benefits to help them with their ever

1 increasing expenses. Programs such as property tax and
2 rent rebate programs, the Housing Emergency Mortgage
3 Assistance Program, and unemployment compensation.

4 House Bill 1359 would require that all
5 Boomers provide a government-issued ID in order to apply
6 for these benefits. Unfortunately, older Pennsylvanians
7 are less likely to possess government-issued
8 identification than any other group.

9 Many older citizens do not have access to
10 documents such as birth certificates or Social Security
11 cards. Recent changes make it harder than ever to get
12 government-issued ID.

13 In order to get a driver's license or
14 non-drivers state-issued ID, for example, you need a
15 birth certificate and Social Security card. You
16 generally need a government-issued photo ID to get either
17 of these documents. For someone who gave up their
18 driver's license, misplaced their Social Security card,
19 or is born out-of-state, this presents -- this presents a
20 Catch-22 situation.

21 It's extremely difficult for those who are
22 homebound or have difficulty driving or getting around to
23 go to PennDOT or the Social Security office or the
24 Department of Public Welfare [sic] to apply for these
25 documents.

1 It's even more difficult to navigate these
2 bureaucracies for the nine percent of the Pennsylvania
3 households who speak a language other than English at
4 home.

5 AARP has opposed laws that require citizens
6 to show government-issued ID to vote in such states as
7 Indiana, Georgia and, two years ago, Pennsylvania. These
8 laws, like House Bill 1359, impose cumbersome and
9 unnecessary burdens on Boomers.

10 House Bill 1359 would have an alarming
11 effect on Pennsylvania Boomers, many of whom have worked
12 hard all of their lives and are now struggling to afford
13 life's necessities.

14 AARP worries that they will -- they already
15 do not get the services that they need for their economic
16 security. House Bill 1359 will create a hostile and
17 confusing atmosphere that would deter many from applying
18 for benefits for which they are eligible.

19 I'd be happy to answer any questions if I
20 can.

21 CHAIRMAN JOSEPHS: Mr. Cox, thank you for
22 being brief. I don't have a question myself, but Mr. Cox
23 does.

24 REP. COX: Can I ask what your position
25 would be if we were to offer an amendment to this that

1 would exempt people over the age of 50?

2 DIRECTOR HUNG: That's certainly
3 reasonable. I have to check with our policy. I just
4 couldn't --

5 REP. COX: I'm just tossing out something,
6 hearing what you're saying as far as the previous
7 testimony setting out the aging population and
8 difficulties getting there and so forth.

9 DIRECTOR HUNG: Our membership goes from 50
10 years old and up.

11 REP. COX: I do understand.

12 DIRECTOR HUNG: Previously we spoke out
13 against Senate Bill 9, which is very similar, and this
14 bill exempted people that were 65 and over that were on
15 Medicare.

16 I would certainly be happy to talk to you
17 about that. I think it's more than reasonable for us.

18 REP. COX: Thank you.

19 DIRECTOR HUNG: Uh-huh.

20 REP. COX: Thank you, Madam Chairman.

21 CHAIRMAN JOSEPHS: Mr. Krieger.

22 REP. KRIEGER: Thank you, Madam Chair.

23 Thank you, Madam Chairman.

24 Thank you for being here today.

25 I have to say that I'm stunned with the

1 problem you're describing. In my office I talk to
2 hundreds, perhaps thousands of people.

3 CHAIRMAN JOSEPHS: Maybe you could get
4 closer to the microphone.

5 REP. KRIEGER: I talk to hundreds, perhaps
6 thousands of people on the issues you're describing and I
7 have to tell you, I've never heard one complaint like
8 you're describing.

9 Where are you -- how are you -- how do
10 you -- how are you getting that information about the
11 problem you're speaking of?

12 DIRECTOR HUNG: We have statistics I'll be
13 happy to get to you. We have a department at AARP, our
14 Public Policy Institute. We gather that kind of
15 information from various sources. We maintain some
16 records on our own. I'd be happy to get that for you.

17 REP. KRIEGER: Please, do.

18 DIRECTOR HUNG: Sure. I'll be happy to.
19 Sure.

20 REP. KRIEGER: Thank you. That's all I
21 have.

22 CHAIRMAN JOSEPHS: Anybody who has any
23 information that's based on a study, testimony echoing
24 Mr. Frankel, I'd like to have them to circulate. We
25 can't really make a policy decision until we know what

1 we're dealing with.

2 DIRECTOR HUNG: If -- if I can just raise
3 something anecdotally.

4 CHAIRMAN JOSEPHS: Certainly.

5 DIRECTOR HUNG: I don't -- I don't know if
6 this -- it may not come up often, but I do know in 1973
7 the military records repository in St. Louis was burned
8 and the federal government is still in the process of
9 re-creating some of those military records and they're
10 actually pulling in records from payrolls in other
11 departments in order to re-create those records.

12 I mean personally that affected my father.
13 I don't know if you've ever come across such a situation
14 but...I just thought I'd bring that up.

15 CHAIRMAN JOSEPHS: Anecdotally, I would
16 repeat. I had a problem myself. When I was elected
17 here, I had to produce a birth certificate. I was not
18 born in this state. We got it quickly. First of all, it
19 was pre-9/11, but the clerk here called the clerk in the
20 state where I was -- where I was born. She -- he, they
21 knew each other professionally, and it got produced.

22 But everybody can have a problem. I had
23 lost my original certificate somewhere.

24 I might -- you remind me. My father-in-law
25 was born not in this country. The only proof of birth

1 was in the family Bible and afterwards it turned out his
2 mother had made him a year older than he really was
3 because she wanted to send him to school. He was a real
4 problem. You know, a year earlier before he was
5 really -- he was very middle class. He just never had a
6 birth certificate that we could find.

7 Mr. Krieger.

8 REP. KRIEGER: Yes, Madam Chair. And
9 just -- just one follow-up.

10 And I guess that's really the point I'm
11 trying to make. You were able to get a birth
12 certificate. And I haven't -- I haven't seen a
13 circumstance where someone who is born in the United
14 States cannot get one.

15 So I have to publicly say I -- I -- I'd
16 like to see your study, but I have some -- some doubts as
17 to whether this is a significant problem.

18 Thank you very much.

19 DIRECTOR HUNG: I -- I do know about one
20 woman. I'll be happy to have her contact your office.
21 She was born out of state. She's very elderly. She was
22 born at home by a midwife who was illiterate and when the
23 midwife filled out the birth certificate, she spelled her
24 name incorrectly. So the family spelled it the way they
25 wanted to spell it and she went all her life using the

1 spelling she did. When she went to get a copy of her
2 birth certificate, she couldn't get it because it didn't
3 match the name on her driver's license.

4 CHAIRMAN JOSEPHS: Yes.

5 DIRECTOR HUNG: Thank you.

6 CHAIRMAN JOSEPHS: Mr. Chairman
7 Benninghoff.

8 REP. BENNINGHOFF: Just one quick comment.
9 It just seems to me that the one thing we all agree on is
10 the fact that the cumbersome -- cumbersomeness of
11 government red tape is probably as problematic as some of
12 the concerns raised in this bill. Maybe as policymakers
13 and to our friends in the federal level, we ought to be
14 striving for some better efficiency.

15 I just have a hard time in this
16 technological age that we're in today -- and I can go to
17 New Zealand and make a purchase and I guarantee that VISA
18 is going to make sure there's a bill in my mailbox in 30
19 days.

20 This is inexcusable to sit here and listen
21 to these nightmares of four or five months, not to
22 mention this is the same entity that we're going to turn
23 our national health care system over to, so it's crazy
24 that we use the excuse that, well, it's difficult, it's
25 hard to get through this.

1 I think we can do better than that, and
2 probably become the mutual goals of trying to provide
3 people who don't have identification, because whether we
4 like it or not, the requirements or need for
5 identification is going to get greater.

6 Everyone sitting in this room had to
7 provide some form of identification to enter this
8 building. We didn't do that when I first came here, and
9 that need is going to continue.

10 So maybe part of the goal ought to be to
11 make that whole business less cumbersome, at least here
12 in Pennsylvania.

13 CHAIRMAN JOSEPHS: Mr. Chairman
14 Benninghoff, I will be very happy, no matter who comes
15 back in the majority, the minority, the Governor, the
16 Senators, to work on that with you in a bipartisan
17 manner. It really needs to be worked on. Thank you for
18 that suggestion.

19 Mariann Davies, You Don't Speak For Me.

20 MS. DAVIES: Thank you, Madam -- thank you,
21 Madam Chairman, for allowing me to be here today and the
22 members of the committee.

23 First of all, I -- I was really taken
24 aback. I didn't know if I should laugh or cry. I fall
25 on the tail end of the demographic that Ms. Hung spoke

1 about, but I've never had a problem having my -- in
2 getting my library card, my bar card, my insurance card,
3 my debit card or my driver's license. And you know
4 what? My parents were immigrants and my first language
5 was not English.

6 I am here today because illegal -- to
7 support -- first of all, to make it clear that we support
8 House Bill 1359, the Proof of Citizenship for Receipt of
9 Public Benefits Act Legislation.

10 Illegal immigration is a national crisis
11 that affects every household, every taxpayer, every state
12 including the state of Pennsylvania.

13 I'm speaking here to you -- to you here
14 today as not only a resident and taxpayer of the
15 Commonwealth, but as a daughter of legal immigrants from
16 Ecuador who immigrated here legally over 50 years ago.

17 My family came here to live the American
18 dream and participate and contribute to this nation, not
19 demand or abuse the generosity of its people or its
20 public institutions.

21 I have been a spokesperson for national
22 organizations of Hispanic Americans who support legal
23 immigration over illegal immigration, support a strong
24 border security plan over open borders, and believe in
25 assimilation rather than ethnic-isolation, and English

1 language immersion over bilingual education.

2 We believe these principles lead to a more
3 successful integration of recent immigrants as possible
4 contributors to the fabric of American society.

5 Today I am speaking to this committee to
6 urge that this piece of legislation be considered for a
7 full House vote. Sadly, and I don't think anybody has
8 discussed this so far, the business of identity theft and
9 public benefit fraud has been identified as the
10 profiteers of illegal immigration as a profit center.

11 And let me -- let me just say, the
12 profiteers of illegal immigration not only exploit the
13 immigrants themselves but they exploit the taxpayers, the
14 American citizens, the working poor, especially in
15 minority communities, as well as the legal immigrants
16 that are here. So anyone who supports illegal
17 immigration or providing benefits to those who are here
18 illegally is directly and indirectly supporting the
19 profiteers of illegal immigration.

20 Today I would like to -- excuse me -- the
21 business of selling Social Security numbers, driver's
22 licenses, and fraudulent immigration documents to
23 non-U.S. citizens in order to access employment, welfare,
24 health care, disability, public-assisted housing, the
25 TANF program, or other public benefits is well

1 established.

2 Indeed, in an era where states must make --
3 must make painful cuts to necessary programs, it's
4 imperative that no eligible Pennsylvanian legal resident
5 be turned away because ineligible non-citizens were
6 accessing said programs through the use of false or
7 fraudulent documents.

8 Policy should dictate public monies and
9 public benefits should not be awarded to those who openly
10 violate our laws.

11 Pennsylvania has a duty to its legal
12 residents and citizens. Our Commonwealth has an
13 important role to play in this effort to reduce the
14 illegal immigration just as it does to assist the federal
15 government in enforcing all other federal laws.

16 Unless the Pennsylvania legislature takes
17 immediate action to discourage more illegal immigrants
18 from settling here, via restriction of benefits and the
19 lure of illegal and often exploited employment, then the
20 cost to taxpayers will necessarily increase. This bill
21 is a small but necessary step. I call this the trust and
22 verify.

23 I encourage lawmakers here today to
24 consider making this law work by also requiring
25 verification of the documents presented to prove

1 citizenship much in the same way that in employment
2 situations E-verify is used to verify Social Security
3 numbers and worker eligibility.

4 Individual and criminal enterprises that
5 use fraudulent documents -- use fraudulent documents to
6 obtain driver's licenses, Social Security cards, and then
7 these documents, in turn, are used to illegally obtain
8 government financial benefits.

9 That's why we don't have -- really have any
10 idea. No one in this room has really any idea how much
11 we are spending on people who are not citizens who are
12 not eligible to receive public benefits in this
13 Commonwealth.

14 With the exception of the Department of
15 Public Welfare, no other agency uses a verification
16 program. So we have no idea. None of us do. We need to
17 do that.

18 In recent months, dozens of individuals --
19 to illustrate this concept, identity theft is rampant and
20 goes hand in hand with illegal immigration. I take
21 exception to everyone who has previously said that
22 there's undocumented workers. In fact, I know many of
23 those in the ranks that have plenty of documents. They
24 may not be good. They may not be theirs. They might be
25 borrowed, stolen, or bought on the black-market. But

1 they're very well documented.

2 Identity theft is rampant. Goes hand in
3 hand with illegal immigration. Therefore, this law
4 should be amended to require the verification of the
5 Social Security numbers and/or immigration status through
6 the SAVE program.

7 In recent months, dozens of individuals
8 living, working in Pennsylvania illegally have been
9 subjects of indictments, arrests, and convictions for
10 engaging in various schemes involving the lucrative
11 business of fraudulent documents and identity theft.

12 I'll briefly summarize the most -- the
13 three most recent cases. The first one was just was --
14 excuse me -- released on the news release September 10th
15 by ICE. Just -- just a few days ago.

16 PennDOT -- a PennDOT official was charged
17 with extortion and ID theft. Roy Davila, Felix Davila,
18 and Rafael De La Rosa Duran, residing in Philadelphia,
19 were charged with manufacturing fraudulent identity --
20 identity documents, extortion, and aggravated identity
21 theft. These individuals were selling Social Security
22 cards and birth certificates as recently as April and
23 July of 2010.

24 The second recent case was July 12th,
25 2010. A New Jersey man was sentenced in a cash scheme

1 for driver's licenses. Michael Lominy of Irvington,
2 Pennsylvania and 20 others were sent to prison for a
3 scheme to pay cash to pay state -- PA state driver's
4 license examiners to assist illegal aliens and foreign
5 nationals in obtaining driver licenses via fraud at
6 various Philadelphia PennDOT offices. Most of the
7 customers hailed from Africa and the Caribbean. This
8 criminal scheme placed over a hundred illegal drivers on
9 our roads and highways, some with truck driver's
10 licenses.

11 On May 6th of 2010, 20 arrested in
12 Philadelphia in a corruption and document fraud case.
13 Three PennDOT employees sold licenses to criminals and
14 illegal aliens. This case involved a 17-year scheme
15 operating in Pennsylvania and other states, including
16 three Philadelphians running a driving school that
17 assisted illegal aliens in obtaining driver's licenses
18 and identity cards. At least seven of the people caught
19 with one of these fraudulent licenses were caught
20 transporting narcotics or large sum -- sums of cash.

21 In order to ensure that public benefits are
22 being granted only to eligible applicants and exclude
23 those that present false or fraudulent identification --
24 and this would mean anyone who is providing false --
25 false or fraudulent identification -- it would be wise

1 for the state of Pennsylvania to enroll in the SAVE
2 initiative designed to aid benefit-granting agencies in
3 determining an applicant's immigration status.

4 The program is an electronic service for
5 benefit-issuing agencies, institutions, licensing --
6 licensing bureaus and government entities. In fact,
7 usually when one enters in a record electronically
8 through their web site, I looked through their training
9 video, USCIS explained that it takes only three to five
10 seconds to get an answer. And there is a multiple layer
11 or procedure for appeals in the event that there is some
12 kind of problem, which is very rare. They process --
13 they have information on over a hundred million records
14 through the Department of Homeland Security and can
15 determine the immigration status of benefit applicants to
16 ensure, again, that only entitled applicants receive
17 federal, state, or local benefits and licenses.

18 In conclusion, we urge that this committee
19 consider that these measures were already passed in the
20 Senate with bipartisan support. We ask this committee to
21 support this legislation and allow the members of the
22 House of Representatives to vote on this measure.

23 It's time to put the interests of the legal
24 residents and taxpayers of the Commonwealth above the
25 interests of illegal immigrants and the profiteers of

1 illegal immigration.

2 Thank you.

3 CHAIRMAN JOSEPHS: Thank you, Ms. Davies.

4 Any questions, discussion?

5 I don't think you gave us anything in
6 writing, but you're certainly welcome to do that.

7 Mr. Cox.

8 REP. COX: It's not so much a question as
9 it is a comment. I want to thank you for your
10 testimony. You have been a perfect example of what I
11 hear in my district.

12 I have had former DPW workers from our
13 county come to my office and sit there and tell me case
14 after case where they asked them for identification and
15 they flipped through a series of -- of driver's
16 licenses.

17 I have had turnpike workers tell me that
18 when someone comes to the tollbooth and does not have
19 money to pay, they say, can I get your identification and
20 follow the process in place there, it's the same type of
21 thing, flipping through a series of driver's licenses to
22 find the one that they want to leave.

23 The three instances I've heard on the
24 turnpike, all three of them drove off leaving one of the
25 driver's --

1 MS. DAVIES: Sure.

2 REP. COX: -- licenses in the hands of the
3 turnpike worker. But fraud is prevalent. And I think
4 this bill, Representative Marsico's bill is part of a
5 larger plan, that we need to put it in place to make sure
6 of that documentation on all levels. Because if you've
7 got a fraudulent birth certificate or a fraudulent
8 driver's license or other documentation, it's a little
9 bit too late in the game when they go to apply for
10 benefits with the fraudulent documents. How do we expect
11 the people in that office to --

12 MS. DAVIES: Sure.

13 REP. COX: -- to know? It's things like
14 the multiples that kind of send up a red flag. So I want
15 to thank you for verifying some of the things that I've
16 heard already in my district in Berks County, which
17 unfortunately is one of the places that is advertised to
18 come to for -- for great benefits.

19 MS. DAVIES: Sure. And we're not expecting
20 state employees to become immigration agents or experts
21 on -- on identifying fraudulent documents. That is why
22 we have the SAVE program. The federal government has
23 that.

24 On the employment side that's why we also
25 have the E-verify as well. We're not trying to put human

1 resources, you know, professionals and/or state employees
2 in a position of being immigration agents whatsoever.

3 REP. COX: Thank you.

4 MS. DAVIES: You're welcome.

5 CHAIRMAN JOSEPHS: Is there anyone else?

6 It occurred to me, Mr. Cox, that that
7 caseworker was in violation of the law by having a little
8 discussion here and for not reporting that fraud to
9 someone beside yourself, but perhaps not.

10 REP. COX: Just a quick comment to that,
11 Madam Chairman.

12 CHAIRMAN JOSEPHS: Yes.

13 REP. COX: If the municipal protection laws
14 were better in Pennsylvania, I think we might see that.
15 That's another discussion for another day. But that's
16 certainly something we'd be willing to discuss.

17 CHAIRMAN JOSEPHS: Good. Good. I'm
18 willing to discuss that as well.

19 Ms. Davies, thank you for your testimony.

20 MS. DAVIES: You're welcome.

21 CHAIRMAN JOSEPHS: We're joined by
22 Mr. Cohen.

23 Mr. -- Ms. Zaebst from -- the Policy Center
24 Manager from the Greater Philadelphia Coalition Against
25 Hunger.

1 One thing I'm interested in before we --
2 while you're sitting down, I mentioned it before you were
3 present, I think, I'm really interested in how much food,
4 you know, how much -- if you have that information. If
5 not, maybe you can get that for us.

6 Thank you. Please, proceed.

7 MS. ZAEBST: Sure. Thank you very much.
8 Representative Josephs, Representative Benninghoff, and
9 members of the committee, thank you for the opportunity
10 to testify about this bill today.

11 I apologize for my lateness. I was a
12 last-minute addition to the agenda yesterday and then had
13 to do a little bit of schedule juggling to make it here
14 this morning. But I really appreciate the opportunity to
15 speak with you today.

16 My name is Julie Zaebst, and I represent
17 the Greater Philadelphia Coalition Against Hunger, or The
18 Coalition.

19 We're a nonprofit organization serving the
20 five county region of southeastern Pennsylvania. Our
21 mission to height -- fight hunger through education,
22 through advocacy, and through outreach.

23 I'm going to tell you briefly about two of
24 our programs so you get a flavor for what it is that we
25 do today.

1 One is the Hunger Fighters Network which
2 provides support to over a hundred food kitchens and food
3 pantries throughout the region. These kitchens and
4 pantries are staffed by volunteers and clinicians who
5 work tirelessly to provide food to the families in need
6 that come to them.

7 They serve tens of thousands of people each
8 year. They provide bags of groceries and they serve hot
9 meals to the folks at their time of need.

10 We also operate a Food Resource Hotline and
11 have done so for the last seven years. This is a place
12 that folks in need can call to find out about benefits
13 that they might be eligible for, including the food stamp
14 program, now called the Supplemental Nutrition Assistance
15 Program or SNAP.

16 We also provide them other food resources
17 that they may be eligible for.

18 Over the last seven years that we've been
19 operating this hotline, we've served over 40,000
20 households in need of food via our hotline.

21 So I'm here today representing the clients
22 that we serve, as well as the volunteers who work at food
23 pantries and soup kitchens in our region and the clients
24 that they serve.

25 The coalition opposes House Bill 1359. We

1 believe it has the message to increase hunger and food
2 insecurity across the state by preventing citizens and
3 eligible immigrants from accessing food assistance and
4 other benefits that help them to support their families.

5 I want to be clear that the bill as it's
6 written would affect citizens and eligible immigrants who
7 are currently assisted by these food programs as well as
8 by other public benefits programs.

9 As we all know, House Bill 1359 would
10 require Pennsylvanians to provide certain types of
11 identification in order to obtain a wide variety of
12 public benefits, and this includes several food
13 assistance programs.

14 I want to talk to you specifically about
15 which programs we believe would be affected and what
16 those programs provide to citizens of our Commonwealth.

17 The State Food Purchase Program serves
18 eligible households with income below 150 percent of the
19 poverty line. So that's less than \$2300 per month gross
20 for a family of three.

21 The Pennsylvania Department of Agriculture
22 estimates that 2.5 million people were served by this
23 program last year.

24 And for your question, Representative
25 Josephs, I can take a look and see how much food that was

1 that was provided to households. I have the most recent
2 annual report of the State Food Purchase Program.

3 What the state food funds do is they
4 provide groceries and hot meals for families in need.
5 The program does make it a priority to purchase
6 Pennsylvania food products, so it also supports farmers
7 and food distributors across the state.

8 Most of the state food, as I mentioned, is
9 distributed by private charitable organizations. Those
10 state-based food cupboards and soup kitchens that I
11 mentioned to you previously.

12 Therefore, many recipients of state food
13 don't apply directly to a government agency as defined by
14 this bill, and they would not be covered by its
15 provisions.

16 However, some state food is distributed by
17 city government agencies, and recipients of this food may
18 be affected by the bill. Many of the people who receive
19 state food from government agencies are homeless, and
20 they really rely on this food for nourishment.

21 So that's one food program that we believe
22 will be affected by House Bill 1359.

23 The other food assistance program that may
24 be impacted by the bill is the Farmers Market Nutrition
25 Program. This program serves low income seniors as well

1 as low income women and their infants and children who
2 are receiving benefits through the Women, Infants, and
3 Children program called WIC.

4 Each season they get \$20 in vouchers that
5 they can redeem for fresh fruits and vegetables at
6 certified farmers market vendors. These are local
7 farmers, again, whose businesses also benefit from the
8 program and receive specific support through this
9 program.

10 Seniors get their market vouchers from
11 local senior centers and the WIC participants get their
12 vouchers from their local WIC offices.

13 It's our understanding that this bill would
14 not apply to seniors receiving certain benefits, like
15 SSI. However, it would apply to some seniors
16 participating in the Farmers Market Nutrition Program,
17 including many between the ages of 60 and 65.

18 We're unclear as to whether the bill would
19 apply to WIC recipients who receive farmers market
20 vouchers. The benefit might be exempt because the bill
21 explicitly excludes services provided to women, infants,
22 and children through the WIC program. However, this
23 program is actually administered by the Pennsylvania
24 Department of Agriculture so it's a little unclear
25 whether this benefit would be affected by the bill.

1 I want to make clear that many applicants
2 for these food assistance programs and for the other
3 benefits that we're talking about here today do not have
4 the type of government-issued ID that's required by this
5 bill.

6 In our experience, many of the clients that
7 we serve directly, as well as many of the clients that
8 our pantries and soup kitchen serve, lack the type of
9 government-issued ID that would be necessary in order to
10 obtain this food assistance.

11 I want to be clear with the committee these
12 are citizens and eligible immigrants who do, in fact,
13 qualify for food assistance and other benefits, but they
14 could be denied that help they need because they are
15 lacking these government-issued IDs.

16 Recipients of state food at soup kitchens
17 and homeless shelters, as well as seniors participating
18 in the Farmers Market Nutrition Program are especially
19 likely to lack the types of ID required by this bill.

20 Participants in these programs are by
21 definition low income. These are programs that serve low
22 income people. And a recent opinion by the Opinion
23 Research Corporation found that 15 percent of people with
24 incomes below \$35,000 a year lack a photo ID which is
25 essentially the same requirement as this bill.

1 Many recipients of state food at shelter
2 facilities and soup kitchens I mentioned is homeless, and
3 this population is especially unlikely to have the type
4 of ID this bill would require to in order to receive food
5 assistance. Homeless applicants may have lost their ID
6 amidst their moves. They may be victims of domestic
7 violence or fleeing a difficult home situation. Some may
8 be mentally ill and just unable to maintain their
9 documents.

10 But regardless of the reason, if they come
11 to a state food site that's run by city government,
12 requesting a hot meal or bag of groceries to get them
13 through the day or end of the month, they may be denied
14 this food assistance simply because they don't have the
15 type of government-issued ID that would be necessary in
16 order to obtain these benefits.

17 So I'm sure that some of my colleagues here
18 today have spoke about how complex the process of
19 obtaining government ID can be, so I won't go into great
20 detail about that. But I do want to emphasize the
21 process of getting this ID can take many months. We've
22 seen this with many of our clients and applicants who
23 simply cannot wait to get the food that they need.

24 Our clients have a difficult time getting
25 ID from the Pennsylvania Department of Transportation

1 when they, for instance, don't have access to their birth
2 certificate or to their Social Security card for a
3 variety of reasons. They're caught in a Catch-22
4 situation that can take months to resolve and a fair
5 amount of staff time, to be honest with you. And
6 sometimes it takes longer than that.

7 And, as I said before, people seeking food
8 assistance cannot wait that amount of time to get the
9 help they need. Particularly the folks who are seeking
10 state food from shelters and soup kitchens literally have
11 nowhere else to turn for a nutritious meal. So that if
12 they don't food this out in the time that they are
13 seeking it, they may well go hungry.

14 Of course, we know that hunger and food
15 insecurity have enormous human costs. I'm just going to
16 cite one study about the cost of hunger and food
17 insecurity. It's a recent study by the Harvard School of
18 Public Health, and they found that people who were hungry
19 and food insecure are three times more likely to have a
20 poor overall health status and three times more likely to
21 suffer from activity-limiting health impairments.

22 We already have 1.4 million people in the
23 Commonwealth who are at risk of hunger and we believe
24 that any piece of legislation that has the potential to
25 increase the hungry people in our state is simply

1 unacceptable.

2 In addition to these human costs of House
3 Bill 1359, there are significant financial costs.

4 Hunger itself costs the state money. The
5 same study that I just cited estimates that hunger
6 already costs Pennsylvania somewhere in the number of
7 \$3.25 billion per year. That's mostly increased medical
8 expenses and decreased worker activity.

9 And that's not to mention the direct costs
10 of implementing this legislation.

11 This bill calls for the addition of layers
12 and layers of red tape to many government programs. And
13 as I'm sure you've heard today, state and local agencies
14 would have to make significant changes to their
15 applications process to comply with this legislation.

16 This is inefficient and costly. We're in a
17 time period right now when there are more and more people
18 in need of benefits, and we can't afford to increase the
19 cost of administering these benefits while the state is
20 still reeling from the recession and more folks are
21 seeking food assistance and other benefits to support
22 their families.

23 So in closing, I want to state that I
24 understand that the proponents of this bill have already
25 characterized it as a way to save money by preventing

1 immigrants who are not authorized to be in the United
2 States from receiving public benefits.

3 However, there are already adequate checks
4 in place to ensure that ineligible immigrants do not
5 receive those benefits.

6 And from our perspective, what we see is that
7 the real effect of this bill would be to harm U.S.
8 citizens and lawfully present residents. It would
9 prevent them from getting benefits to which they are
10 entitled as citizens and as eligible immigrants simply
11 because they cannot obtain government-issued ID or cannot
12 obtain it quickly enough to get the food assistance that
13 they need.

14 We believe that the costs to citizens and
15 eligible immigrants, as well as the cost to state and
16 local government, far outweigh any savings that might be
17 achieved.

18 So on behalf of the soup kitchens and food
19 cupboards that we work with, on behalf of the clients
20 that we serve, we strongly urge the committee today to
21 oppose this legislation.

22 Thank you very much.

23 CHAIRMAN JOSEPHS: Thank you. Two things
24 before I ask for questions. I would like to see whatever
25 study anybody has --

1 MS. ZAEBST: Sure.

2 CHAIRMAN JOSEPHS: -- that is still present
3 on the costs of implementing this to government, to
4 citizens. And I also would love to see, of course, the
5 information in tons of food, if we can find that, that
6 come from local -- I'm a foodie. I've got a lot of
7 local --

8 MS. ZAEBST: Sure.

9 CHAIRMAN JOSEPHS: -- markets, food and
10 farmers markets in my district.

11 MS. ZAEBST: Sure.

12 CHAIRMAN JOSEPHS: The ladies that I spoke
13 about who now can get a card that looks like a VISA card
14 come down and use the food market at Rittenhouse Square.
15 But if they have to go in person to apply for food,
16 they're going to be hungry.

17 MS. ZAEBST: So I'm looking right now at
18 the most recent report -- report from the Pennsylvania
19 Department of Agriculture that tells us a little bit
20 about the State Food Purchase Program in the last fiscal
21 year and according to Appendix C of this report it's
22 \$15,640,000 of food that is purchased through this
23 program.

24 I can't tell you exactly how much of that
25 comes from Pennsylvania farmers and Pennsylvania food

1 manufacturers, but they are prioritized by law for the
2 State Food Purchase Program.

3 CHAIRMAN JOSEPHS: Thank you.

4 Ms. Delozier.

5 REP. DELOZIER: Thank you, Madam Chairman.
6 I just have a quick question.

7 MS. ZAEBST: Sure.

8 REP. DELOZIER: As you receive state
9 funding, which is why you'd be compelled by this type of
10 law, correct?

11 MS. ZAEBST: Does our organization receive
12 state funding? We do receive state funding.

13 REP. DELOZIER: You do?

14 MS. ZAEBST: Yes.

15 REP. DELOZIER: So this morning I'm just
16 trying to clarify the difference as to what you do now
17 and what -- and I understand what the bill is -- is
18 saying. At this point in time you -- it is the law that
19 illegal immigrants cannot receive the way -- the type of
20 funding -- or food that you're providing for them.

21 MS. ZAEBST: Yes. That's correct.

22 REP. DELOZIER: So in order to abide by
23 that law, what do you do now to verify that they are
24 legal?

25 MS. ZAEBST: Sure. I want to be clear that

1 our organization does not distribute state food and we do
2 not participate in the Farmers Market Nutrition Program.

3 So we represent food cupboards and soup
4 kitchens that do distribute that food, and we work with
5 vendors that participate in the Farmers Market Nutrition
6 Market. So I don't want to misspeak and give you
7 inaccurate information, because we are not directly
8 dealing with those programs. But I am aware that the
9 food cupboards and soup kitchens that distribute state
10 food first have to have filled out a declaration of need
11 which indicates their identity, their income, and their
12 residency.

13 And I know that most of the distributors of
14 state food do require identification at this time, but
15 it's a flexible identification requirement. So if folks
16 can't provide, for instance, the type of
17 government-issued ID that would be required with this
18 bill or other ways of verifying their ID --

19 REP. DELOZIER: What other types of
20 identity do they -- that's where -- I'm trying to --

21 MS. ZAEBST: Sure.

22 REP. DELOZIER: -- decipher the difference
23 between what the bill is asking for, which would be a
24 typical, you know, type of photo ID, versus what is
25 acceptable right now.

1 MS. ZAEBST: Sure. Some folks are able to get
2 referrals to food cupboards and soup kitchens from
3 agencies to which they are known, so they -- we have
4 worked with them and feel that we can accurately verify
5 their identify and we can refer them to food cupboards
6 and soup kitchens.

7 If they are residents of a shelter, they can
8 verify their identity. That's an option for them.

9 REP. DELOZIER: So you're saying at this point
10 in time the folks that are coming to you --

11 MS. ZAEBST: Uh-huh.

12 REP. DELOZIER: -- in some cases -- and actually
13 there's many other types -- in some cases if you're
14 referred to -- they're referred by a church --

15 MS. ZAEBST: Sure.

16 REP. DELOZIER: -- or some other entity, you are
17 counting on them, that that entity too has verified that
18 they are a U.S. citizen.

19 MS. ZAEBST: Or an eligible immigrant.

20 REP. DELOZIER: Or an eligible immigrant.

21 MS. ZAEBST: Eligible for food assistance.
22 Because it's meeting a very basic need.

23 REP. DELOZIER: Right. Right. So okay. So
24 they're referrals or if they do not have a referral, then
25 those entities are having that individual fill out a

1 declaration of need.

2 MS. ZAEBST: Uh-huh.

3 REP. DELOZIER: And you're sort of taking their
4 word for the fact that they are a resident or eligible
5 for the services.

6 MS. ZAEBST: Yes.

7 REP. DELOZIER: Is there any other type of --

8 MS. ZAEBST: And I want to clarify this is
9 specifically in regard to state food. The Farmers Market
10 Nutrition Program is more strictly regulated because it's
11 being administered by low-income senior citizen centers
12 and the WIC offices.

13 REP. DELOZIER: And that's fine. I'm just
14 trying to make -- you're the first one to talk about an
15 actual operating program.

16 MS. ZAEBST: Sure.

17 REP. DELOZIER: That's why I have these
18 questions. So it's either a declaration of need, a
19 possible referral --

20 MS. ZAEBST: Yes.

21 REP. DELOZIER: -- from another entity.

22 MS. ZAEBST: The declaration of need is
23 required. Even if I refer clients to state food sites,
24 they still have to complete a declaration of need to
25 ensure that they're under the income, which means they're

1 below 150 percent of poverty.

2 REP. DELOZIER: And so this declaration of
3 need, is that ever then verified? Or what is the
4 process? Once you receive that declaration of need, what
5 do you do with that?

6 MS. ZAEBST: The places that distribute state
7 food simply maintain those on file to, you know, prove
8 that the folks that came to them had declared that they
9 were eligible.

10 REP. DELOZIER: Okay.

11 MS. ZAEBST: I don't think that there are
12 further requirements in terms of verifying the identity
13 of that individual. Most of them will bring in proof of
14 residency. If they have an address and a place to
15 receive mail, that's one thing that they can relate to.

16 REP. DELOZIER: Okay. So you guys keep that in
17 your file in case someone else questions or --

18 MS. ZAEBST: Yes.

19 REP. DELOZIER: -- you're asked questions about
20 that?

21 MS. ZAEBST: Exactly.

22 REP. DELOZIER: If you were asked those
23 questions.

24 MS. ZAEBST: And the folks that sign also, you
25 know, this is true and accurate information that they are

1 providing us.

2 REP. DELOZIER: Okay. So there's -- at this
3 point then, from them being able to fill out this
4 declaration, you could -- I could go in and fill in a
5 residency or address?

6 MS. ZAEBST: Yes.

7 REP. DELOZIER: An apartment building in the
8 town, okay, and say that I live there. But there's no
9 other types of paper documentation or anything like that,
10 rent or mortgage or anything like that?

11 MR. ZAEBST: No. There may be. Folks may
12 chose to provide that, but it's not required.

13 REP. DELOZIER: Okay. That's fine. Thank you
14 very much.

15 MS. ZAEBST: You're welcome.

16 CHAIRMAN JOSEPHS: Mr. Krieger.

17 REP. KRIEGER: Thank you, Madam Chair. And
18 I have a question for you.

19 MS. ZAEBST: Sure.

20 REP. KRIEGER: Probably follows on
21 Representative Delozier's questions.

22 You mentioned in your testimony there are
23 adequate checks to prevent illegal immigrants from
24 obtaining benefits. You mentioned the declaration of
25 need. Is that the adequate check you're talking about or

1 is that --

2 MS. ZAEBST: It depends on the program, as
3 I say. So as we don't administer these programs
4 directly, I don't want to misspeak and give you
5 inaccurate information.

6 But when folks apply for WIC benefits and
7 for the Farmers Market Nutrition Program, there is
8 additional documentation that is required of them.

9 And certainly in terms of the other
10 benefits that would be covered by this piece of
11 legislation, there are more rigorous checks in place, in
12 part because most of those programs are administered
13 directly by government agencies whereas state food is
14 distributed, as I said, largely by a private charitable
15 network that is fee based.

16 REP. KRIEGER: Can you describe those
17 requirements you just mentioned?

18 MS. ZAEBST: For which program? I'm
19 sorry.

20 REP. KRIEGER: For any of those programs.

21 MS. ZAEBST: I would rather not misspeak
22 about the specific requirements for a program that we
23 don't work with directly.

24 CHAIRMAN JOSEPHS: Mr. Krieger, I make a
25 general ask here. Anybody in the audience or anyone who

1 hears about this hearing or knows of people, I would like
2 to know myself how rigorous and what is done, aside from
3 the SAVE system, which we've heard about, from anybody
4 here who has any information and I will distribute it to
5 the committee or anybody else who is interested.

6 REP. KRIEGER: Thank you, Madam Chair. I
7 can appreciate that. And I understand our witness
8 perhaps doesn't have knowledge of the program and in her
9 testimony she didn't -- she did testify there were
10 adequate checks in place.

11 I was just merely inquiring as to the basis
12 of her testimony in that regard.

13 I have one other question.

14 CHAIRMAN JOSEPHS: Certainly.

15 REP. KRIEGER: Can you estimate for us this
16 universe you're talking about of the hungry in
17 Pennsylvania?

18 MS. ZAEBST: Sure.

19 REP. KRIEGER: How large is that?

20 MS. ZAEBST: According to the most recent
21 estimates by the U.S. Department of Agriculture, it's 1.4
22 million people in the Commonwealth, and I suspect that
23 that number has increased as a result of the recent
24 recession.

25 Those numbers are a little bit outdated at

1 this point, but that number is quoted again in this
2 report from the Pennsylvania Department of Agriculture
3 that I referenced earlier.

4 REP. KRIEGER: And of that 1.4 million
5 people, can you estimate the number that would not be
6 eligible or not be able to prove their eligibility if
7 this bill would become law?

8 MS. ZAEBST: That is a really tough
9 question to answer. I know that the study that I cited
10 about the number of folks who lack photo ID said that 11
11 percent of the people that participated in their survey,
12 which is a representative national sample, lacked photo
13 identification, which is essentially the same
14 requirements as this bill.

15 However, because people who are hungry and
16 food insecure tend to be low income, I would guess that
17 number is, in fact, even higher.

18 That same study found that 15 percent of
19 people with incomes below \$35,000 lacked photo
20 identification. So I don't want to make any exact
21 claims, but we can extrapolate from that study to the
22 hungry in Pennsylvania and make a guess as to how many of
23 them would be lacking this type of identification.

24 REP. KRIEGER: And one follow-up. Of that
25 11 percent or 15, whatever that percentage is, how large

1 is the universe of folks that could not obtain photo ID
2 if they -- if they attempted to do so?

3 MS. ZAEBST: I imagine that the majority of
4 them could obtain photo ID if they attempted to do so;
5 but, as I mentioned in my testimony, if they lack a birth
6 certificate or Social Security card, it becomes very
7 difficult for them to get a photo ID from PennDOT because
8 they need to bring in a birth certificate, a Social
9 Security card, and two proofs of residency.

10 And so by the time they go through the
11 process of getting the birth certificate and Social
12 Security card and then get down to PennDOT to obtain
13 their photo ID, it can, as I said, take many, many months
14 to make that happen.

15 So I believe that with a lot of time, a lot
16 of effort, and a lot of support from social services
17 staff that the vast majority of them could get a photo
18 ID. As I said, they -- these folks need food assistance
19 and other benefits right away. And they simply don't
20 have several months in order to get the bag of groceries
21 that they needed to get them through the end of the
22 month.

23 REP. KRIEGER: Okay. Thank you. And
24 just -- just one -- one comment. I guess the crux of the
25 matter really is how great of a burden are we placing on

1 folks to be able to obtain a photo ID whenever they're
2 coming to us and asking for government benefits? And I
3 guess just from my -- my summary is I don't think that
4 that's great a bene -- that great of a burden and that's
5 why we follow it.

6 Thank you, Madam Chair. I appreciate it.

7 CHAIRMAN JOSEPHS: Mr. Benninghoff.

8 REP. BENNINGHOFF: Thank you, Madam
9 Chairman.

10 Very briefly and first of all, thank you
11 for your detailed testimony. It was very impressive,
12 your comments and your knowledge of your field.

13 Real quick, building on what Representative
14 Krieger was asking, is access to a place to get ID an
15 issue in a lot of your provider areas?

16 It seems to me, yes, it's a little
17 cumbersome at the time, but I would suspect that a lot of
18 your clientele -- and correct me if I'm wrong -- are not
19 a one-time visit.

20 And so for those that provide the service,
21 it's got to be somewhat cumbersome to have the same
22 person coming to them month after month after month and
23 go through the same questioning, telling them they don't
24 have ID, that part of me says we ought to be trying to
25 cultivate the ability to obtain some form of ID, and I'm

1 just curious of how difficult the actual access to some
2 center that would do that would be.

3 MS. ZAEBST: It's not -- particularly in
4 Philadelphia, it's not so difficult for most of our
5 clients to get to a PennDOT office. It's the process of
6 getting a birth certificate, which if you're born out of
7 state, and sometimes the Social Security card, it can be
8 really difficult.

9 It's not really physical access to the
10 office, but a lot of the bureaucratic hurdles that they
11 have to jump through in order to get the documents they
12 need in order to get a photo ID they need in order to get
13 the benefits that they need.

14 REP. BENNINGHOFF: And then that's what we
15 actually cultivated at our offices, obviously as we look
16 for some answers to some of these questions, can't we
17 help at least with the person who's getting a birth
18 certificate, which is easy for me to advocate, since I'm
19 not involved with them, as Madam Chairman says the
20 policy. But, again, I think the ultimate goal in this
21 room is to try to break down some of these barriers --

22 MS. ZAEBST? Yes.

23 REP. BENNINGHOFF: -- and be more
24 progressive so that the whole system is not difficult.

25 MS. ZAEBST: Absolutely.

1 REP. BENNINGHOFF: And yet it may be a
2 one-time expense in the long run, but it's got to be a
3 little more efficient.

4 MS. ZAEBST: Correct. I think Community
5 Legal Services, who testified earlier, has extensive
6 experience in walking clients through the process of
7 obtaining the ID and they may have a better sense than I
8 personally do of all the hurdles involved in that.

9 I think they can speak to the staff time it
10 requires and what it would take to assist more of our
11 clients, this estimated 11 percent of Pennsylvanians, in
12 getting this ID.

13 REP. BENNINGHOFF: I sit on the board for a
14 center, and we go through these same types of hurdles,
15 maybe a little smaller, but I appreciate your assistance
16 in that questioning.

17 Thank you, Madam Chairman.

18 MS. ZAEBST: Thank you.

19 CHAIRMAN JOSEPHS: Thank you.

20 We do have another witness, but before --
21 before I would like to say -- and I can speak for all the
22 people, including members who oppose this bill, without
23 even asking them, we are not for illegal immigrants.

24 We are not for people here to be in the
25 country who don't belong in this country. We are not for

1 them to be using public benefits if they're not eligible
2 for them. We are not for anybody to be accessing public
3 benefits for which they are not eligible.

4 Nobody wants that. We don't want -- what
5 we worry about is eligible people not being able to
6 access things like food -- like food -- and what we worry
7 about is costing more than we get back from instituting
8 these kinds of procedures.

9 Just to clarify my position and those of
10 others. Thank you.

11 MS. ZAEBST: Thank you.

12 CHAIRMAN JOSEPHS: All of the witnesses
13 who -- will make themselves available for questions and
14 who -- will let us whatever information I know.

15 Ms. Lindemyer from the Pennsylvania
16 Coalition Against Domestic Violence.

17 Thank you very much for your testimony,
18 Ms. Zaebst.

19 DIRECTOR LINDEMYER: Good morning. My name
20 is Nicole Lindemyer, and I'm the public policy director
21 for the Pennsylvania Coalition Against Domestic
22 Violence.

23 The coalition is a statewide network for 60
24 domestic violence programs throughout Pennsylvania,
25 consisting of shelters, hotlines, counseling programs,

1 legal and medical advocacy projects, children's advocacy,
2 and some transitional housing projects for victims of
3 domestic violence and their children.

4 Every year millions of women are assaulted
5 by their intimate partners, and millions more children
6 are exposed to this violence.

7 Here in Pennsylvania the prevalence of
8 domestic violence reminds us that it is an issue of
9 enormous magnitude and its victims are no small
10 minority. And each year between 90,000 and 100,000
11 victims reach out for help and receive services from
12 domestic violence programs in the state.

13 In addition to the prevalence, the fatal
14 consequences of domestic violence also remind us that it
15 is no minor matter. Between 2000 and 2009 at least 1,455
16 people died in domestic violence-related incidents, a
17 rate that has spiked 51 percent in recent years from 121
18 in 2007 to 180 deaths in 2009.

19 It's irrefutable that domestic violence is
20 tragically widespread and too often has fatal
21 consequences. To comprehend the enormity of domestic
22 violence, it is critical to understand the array of
23 obstacles that victims face in trying to break free from
24 abusive relationships and rebuild their house, obstacles
25 that would be exacerbated by House Bill 1359.

1 Leaving an abusive relationship and
2 rebuilding one's entire life is an enormous undertaking
3 that most of us can barely fathom. For most victims,
4 their batterers have so controlled their lives and
5 constrained their options that to break free means they
6 will be forced to start over with nothing.

7 They know that wherever they may go their
8 abusers are likely to follow. Countless victims are able
9 to escape the violence only by uprooting their entire
10 life and moving to a new, confidential location where
11 they spend every day looking over their shoulder,
12 anticipating that their abuser will find them and
13 commence the abuse again.

14 Within this environment of constant fear,
15 domestic violence victims confront a spectrum of needs
16 that must be met in order for them to live independent of
17 their abusers.

18 Of course, safety is a paramount priority,
19 but safety depends on the victim's ability to meet their
20 basic needs like shelter, food, transportation, without
21 which victims have no choice but to return to their
22 abusers.

23 Perhaps the most basic of all needs,
24 victims need the financial resources to cover the myriad
25 of costs associated with starting a new life, including

1 relocation expenses, housing and utility deposits, food,
2 clothing, school supplies, transportation, the kinds of
3 life necessities we all require.

4 However, many victims rely on the financial
5 contributions of the abuser to make ends meet. Victims
6 such as stay at home, pregnant or disabled victims,
7 victims living in dire poverty, and victims' abusers have
8 forbidden them from working.

9 Without the abuser's contributions to the
10 household, often victims must turn temporarily to public
11 assistance during the transition from abuse to
12 self-sufficiency. During this transition, economic
13 assistance, as well as food stamps, medical coverage, job
14 training, and other forms of public benefits become a
15 lifeline for domestic violence victims. These types of
16 assistance are very literally the bridge out of violent
17 homes and into safety and independence. A bridge to a
18 future free from abuse.

19 Indeed, often the reason domestic violence
20 victims remain in abusive relationships is precisely
21 because they're not able to financially support
22 themselves and their children without the abuser's
23 income. It is no surprise --

24 CHAIRMAN JOSEPHS: We're going on the floor
25 at 11:00. So we have to conclude this.

1 DIRECTOR LINDEMYER: I will finish in time.

2 CHAIRMAN JOSEPHS: But I would think there
3 might be questions.

4 DIRECTOR LINDEMYER: Okay.

5 CHAIRMAN JOSEPHS: I know you're not
6 talking maybe -- not talking fast but summarize if
7 possible. I know you have a lot of information that's
8 very valuable.

9 DIRECTOR LINDEMYER: Well, we think that
10 it's really imperative that the resources that victims
11 need to break free of abuse -- that we ensure our laws
12 and policies do not erect further barriers to getting the
13 help they need. For this reason, it's critical that we
14 recognize the unintended consequences of House Bill
15 1359.

16 Of primary concern to the Coalition is the
17 increased standard for identification for -- as a
18 condition of receiving a form of public benefits.

19 As you know, the bill would require
20 applicants to show government-issued ID. However, this
21 requirement would be an obstacle because -- for domestic
22 violence victims because when fleeing abuse, and indeed
23 many victims come into shelters directly from emergency
24 rooms or after an acute assault -- it's extremely rare
25 for them to have the opportunity to grab their driver's

1 license or other important documents and take them with
2 them.

3 I'll tell you in talking with one victim
4 advocate about this bill, she told me about a victim she
5 recently helped. The victim is a 32-year-old Caucasian
6 mother of three. Her husband had been abusive for years,
7 but the violence was escalating and she had the gut sense
8 he was going to kill her.

9 One morning he became irate, throwing her
10 against the wall and yelling obscenities. He told her he
11 was going to, quote, handle something and he'd be right
12 back to finish what she started. When he walked away,
13 she was terrified. She grabbed her children and ran out
14 the door. Both she and her daughter didn't even have
15 shoes on their feet, much less any form of
16 identification.

17 This situation is exemplary of many
18 thousands of victims who flee to shelters with nothing
19 but the clothes on their backs. For the same reasons
20 victims lack government-issued ID, they also lack
21 documents necessary to get government-issued ID. It
22 takes months and extensive records fees to get those
23 replacement documents such as Social Security and birth
24 certificates.

25 Another situation I'll tell you about is

1 that of a battered woman who stayed in a shelter in
2 Centre County. She had fled here to Pennsylvania from
3 several states because everywhere she went her abuser
4 tracked her down and tried to kill her. He went to
5 elaborate lengths to find her again and again, through
6 constant surveillance, monitoring records and stalking
7 and threatening --

8 CHAIRMAN JOSEPHS: We're going to be onto
9 the floor in just a few minutes. I'm sorry.

10 DIRECTOR LINDEMYER: Okay. Cases like hers
11 demonstrate how extremely difficult it is for victims
12 fleeing abuse.

13 Advocates can attest to situations where
14 abusers deliberately destroy or take away victims'
15 identification as a means of keeping victims dependent
16 and unable to leave.

17 Victims in crisis must prioritize their own
18 lives and the lives of their children above packing a bag
19 and taking personal documents with them, but must not be
20 indirectly penalized for doing so.

21 House Bill 1359 would have the
22 unconscionable result of denying a battered woman the
23 assistance she needs to break free of abuse, for the
24 reason that her purse -- her driver's license is in her
25 purse and the purse is in the home of the person who has

1 tried and pledged to kill her.

2 Domestic violence victims would not be able
3 to comply with the requirements of this bill and for this
4 reason the Coalition urges this committee to oppose it.

5 Thank you.

6 CHAIRMAN JOSEPHS: Ms. Lindemyer, I think
7 you have a place on the floor of the House of
8 Representatives in Pennsylvania for your perseverance
9 alone.

10 Any questions?

11 Ms. Delozier.

12 REP. DELOZIER: Thank you. Thank you for
13 your testimony.

14 With the issue of dealing with victims of
15 domestic violence, personally I feel like if they have
16 the guts to leave, we should be there to help them in
17 that case.

18 And it seems -- I was reading through your
19 testimony before, so I did hear everything. In reading
20 through it, the biggest obstacle in my understanding in
21 having worked with victims is trying to get them what
22 they need once they have taken that step, because the
23 economic and emotional needs obviously overwhelm them.

24 The biggest hurdle it seems in your
25 testimony is getting that new ID, whether it be in

1 another name for protective reasons, or just getting it
2 so they can go on somewhere else.

3 DIRECTOR LINDEMYER: Yes.

4 REP. DELOZIER: And so to end with what the
5 -- Chairman Benninghoff had mentioned about the fact of
6 providing more ease of getting that ID and more ease --
7 taking away some of those hurdles would be the primary
8 reason as to your opposition to this bill and actually
9 getting those?

10 DIRECTOR LINDEMYER: It's also a timeliness
11 issue in that the victims need the assistance
12 immediately --

13 REP. DELOZIER: Right.

14 DIRECTOR LINDEMYER: -- and the hurdles
15 takes months. So it's a matter of urgency in dealing
16 with that.

17 REP. DELOZIER: In each of these cases it
18 is just that, it's an emergency versus in many of the
19 other testimonies that we have heard, while it would be
20 still important for them to get certain services quickly,
21 in this case, in my personal opinion, it's more of an
22 actual emergency for their safety.

23 DIRECTOR LINDEMYER: A matter of life and
24 death, yes.

25 REP. DELOZIER: Versus the capability of

1 them providing -- getting additional services?

2 DIRECTOR LINDEMYER: Yes.

3 REP. DELOZIER: Thank you very much for
4 your testimony.

5 DIRECTOR LINDEMYER: You're welcome.

6 CHAIRMAN JOSEPHS: Anything else?

7 I want to thank all the witnesses, all the
8 participants and the members of the committee. I know
9 our schedules are very demanding.

10 If you don't have anything in writing that
11 you would like to have that I have, please let me know.
12 I will circulate. Again, I will circulate any more
13 information that comes from the opponents and the
14 proponents of this bill.

15 I think basically what we need is a common
16 fact basis before we can make any kind of real policy
17 decision.

18 Thank you.

19 (The proceedings were concluded at
20 10:57 a.m.)

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

Brenda S. Hamilton, RPR
Reporter - Notary Public