



February 14, 2020

The Honorable Chad F. Wolf  
Acting Secretary of Homeland Security  
2707 Martin Luther King Jr Ave SE  
Washington, D.C. 20528

Dear Secretary Wolf:

We, the undersigned members of the New York State Legislature, write to you regarding the decision to suspend New York residents from enrolling or re-enrolling into Trusted Traveler Programs (TTP) including Global Entry, NEXUS, SENTRI, and FAST. This decision, which is estimated to impact roughly 175,000 New Yorkers across the state in 2020 alone, is a clear attempt to penalize a state that has prioritized the safeguarding of immigrant communities against anti-immigrant policies proposed by President Trump and his Administration.

In your February 5th letter to the New York State Department of Motor Vehicles (DMV), you explained that the decision to restrict New Yorkers from applying to these programs is due to the recent enactment of the “Green Light” law — which now prohibits U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) from accessing DMV records that have been previously used by the Department of Homeland Security (DHS) to determine a TTP applicant’s eligibility during the screening process. However, given that proof of citizenship or legal status is required to qualify for TTP, having to supply a passport, birth certificate, or green card would prohibit undocumented immigrants from applying.

Multiple aspects of the suspension cast further doubt on DHS’ stated reasoning.

- First, if access to DMV records is needed to “validate pertinent information,” it would not impact re-enrollment since CBP and ICE should already have that citizenship data from the original enrollment. The 175,000 New Yorkers whose enrollment lapses in 2020 should not be barred from re-enrolling.
- Second, approximately 50,000 people were already given conditional approval and were merely awaiting completion of an interview for full membership. This proves that DMV data is not necessary because the state record-checking portion of the process is completed before conditional approval for all those cases.
- Third, the argument that sanctuary city policies prevent DHS from properly vetting applicants has been refuted by former acting ICE Director John Sandweg who said that the law and other “sanctuary policies in no way shape or form affect DHS’ ability to vet people for global entry and other trusted traveler programs.”

In admitting that DHS would end the suspension if New York amends the law to grant federal officials access to those records, the Trump Administration has shown this for what it is: political extortion.

As members of the New York State Legislature, we stand unified in opposition to this decision that is irrationally denying New Yorkers benefits to which other states have access and will only cause unnecessary travel delays for New Yorkers and visitors alike. We urge you to rescind the suspension that has been inspired by political motives and to take no further action against the current and future enrollment of TSA PreCheck, the remaining TTP benefit available to New Yorkers.

Sincerely,

Nily Rozic  
Assemblywoman, 25th District  
Chair, Office of State-Federal Relations

Assemblyman David Buchwald, 93rd District  
Assemblyman Pat Burke, 142nd District  
Assemblyman Edward Braunstein, 26th District  
Assemblywoman Carmen De La Rosa, 72nd District  
Assemblyman Michael G. DenDekker, 34th District  
Assemblyman Harvey Epstein, 74th District  
Assemblywoman Sandra Galef, 95th District  
Assemblyman Andrew Hevesi, 28th District  
Assemblywoman Alicia Hyndman, 29th District  
Assemblyman William B. Magnarelli, 129th District  
Assemblywoman Karen McMahan, 146th District  
Assemblyman Steven Otis, 91st District  
Assemblyman Sean Ryan, 149th District  
Assemblyman Steve Stern, 10th District  
Assemblyman Al Taylor, 71st District  
Assemblyman Fred W. Thiele, Jr., 1st District  
Assemblyman Kenneth Zebrowski, 96th District

State Senator Alessandra Biaggi, 34th District  
State Senator Leroy Comrie, 14th District  
State Senator Brad Hoylman, 27th District  
State Senator Liz Krueger, 28th District  
State Senator John Liu, 11th District  
State Senator Shelley B. Mayer, 37th District