



Legislation Text

File #: Res 0842-2007, **Version:** A

Res. No. 842-A

Resolution urging the United States Congress to end federal raids to deport undocumented immigrants and institute comprehensive immigration reform that protects the fundamental civil liberties of immigrants and integrates immigrants fully into American society.

By Council Members Stewart, The Speaker (Council Member Quinn), Mark-Viverito, Brewer, James, Nelson, Weprin, Liu, Gonzalez, Jackson, Martinez, Sears and The Public Advocate (Ms. Gotbaum)

Whereas, Any glimpse at the nation's immigration policy, regardless of the perspective of the viewer, reveals a dysfunctional system that is in dire need of reform; people who endeavor to come to the United States to work or join family are mired in outdated immigration laws and an unpredictable immigration bureaucracy; and

Whereas, Currently, more than 12 million immigrants are estimated to be in the United States without legal documentation; each year, an estimated 300,000 or more join that population; in New York City, it is estimated that 625,000 undocumented immigrants live in the metropolitan area; and

Whereas, The federal government has pursued a strict enforcement-focused strategy for the past ten years in order to make the nation's antiquated immigration laws fit current realities; however, the flow of undocumented immigrants has only increased; and

Whereas, Rampant criminalization of immigrants persists throughout the United States; federal agents have raided workplaces and homes all over the country in an attempt to deport undocumented immigrants; though these raids have been carried out for years, immigration raids have escalated and have become more aggressive, invasive, and extensive in recent months; these raids have had a devastating impact on families and have fostered a climate of fear among the immigrant population and several industries as well; as a result of the raids, mass deportations of immigrants have occurred with ruthless haste and blatant disregard for basic human

rights and due process protections; and

Whereas, Under existing immigration laws, non-citizens, including long-term permanent residents, can be deported for past minor offenses even when they have already fulfilled their debt to society; specifically, conviction of even a violation, not a crime, can be grounds for permanent exile from the United States; in addition, every year, over 230,000 non-citizens, including families, green card holders, and refugees, as well as those who are ailing, elderly, or pregnant, are incarcerated for immigration violations; unlike any other prison population, imprisoned non-citizens are not afforded the right to counsel, an opportunity for a bond hearing, or the possibility of parole even when they pose no threat to the public; these deportation and detention policies are severe and unjust; and

Whereas, States and localities, in the absence of federal action to reform our immigration system, are left to independently figure out how to manage a growing undocumented population; it is therefore necessary to clarify the separation of authority between federal and local law enforcement agencies to ensure that states and localities are not indiscriminately enforcing immigration laws, and that immigrants do not face an increased risk of interrogation by state and local authorities about their status; and

Whereas, It is evident that the nation's immigration system is in need of reform, and a long-term solution to the nation's immigration problems requires a comprehensive approach to reform that addresses all aspects of the United States immigration system; for a comprehensive immigration reform plan to be effective, it is essential that the plan includes initiatives that uphold the following principles: 1) Provide a path to citizenship for immigrants currently in the United States; 2) Protect the rights of all workers; 3) Support family unification; 4) Restore fundamental due process and civil rights; and 5) Promote full civic participation and integration of immigrants; and

Whereas, The federal debate over what a comprehensive immigration reform program should entail continues; the United States Senate is currently considering an immigration reform bill that has garnered support, but has also faced staunch opposition from both Democrats and Republicans, as well as from

immigration advocates, particularly in regards to the effects this bill would have on the legalization of undocumented immigrants and employment-based and family-based immigration; the bill includes a provision that allows undocumented immigrants to come forward and obtain a “Z visa,” which would provide a path to citizenship; however, this provision also mandates that Z visa applicants pay a \$5,000 fine and other prohibitive fees and requires heads of households to apply in their home countries; another provision of the bill establishes a new temporary guest worker program, which requires immigrant workers to return to their home countries after two years and offers little opportunity for legalization; these provisions, however, would not go into effect until certain border security conditions are met and immigration backlogs are cleared; in addition, the Senate bill contains provisions that eliminate several categories of family-based immigration; in place of these categories, the bill institutes a point-based system to distribute green cards, with preference toward immigrants who have advanced degrees and high-level skills; and

Whereas, The current Senate bill does not fully uphold key immigration reform principles; Senator Hillary Clinton from New York, along with Senator Chuck Hagel from Nebraska and Robert Menendez from New Jersey, recently introduced an amendment to the bill that would reclassify spouses and minor children of lawful permanent immigrants as “immediate relatives,” thereby exempting them from the visa caps; and

Whereas, The Security Through Regularized Immigration and a Vibrant Economy Act (“STRIVE Act”), H.R. 1645, was introduced on March 22, 2007, which is among several immigration reform bills in the United States House of Representatives; while the STRIVE Act has encouraged the debate on comprehensive immigration reform, the bill still falls short of embracing immigration reform that strengthens national security, protects workers, unites families, and creates a path to citizenship that does not impose an economic burden on immigrants; and

Whereas, The need for comprehensive immigration reform legislation that thoroughly promotes bedrock principles of American immigration is no longer in question; it is the responsibility of Congress to focus on transforming the existing immigration system that is profoundly out of sync with the needs of families and

industries in the United States, and subjects immigrants to excessive and repeated injustice; now, therefore, be it

Resolved, That the Council of the City of New York urges the United States Congress to end federal raids to deport undocumented immigrants and institute comprehensive immigration reform that protects the fundamental civil liberties of immigrants and integrates immigrants fully into American society.

JPV
LS# 3014
5/4/07