



## Legislation Text

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**File #:** Res 1610-2000, **Version:** \*

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Res. No. 1610

Resolution calling upon the United States Senate to fully support passage of the Immigration Fairness Restoration Act of 2000, also known as the Kennedy-Graham Bill, thereby ensuring that United States immigration laws continue to reflect our tradition as a nation of just laws.

By Council Members Clarke, Carrion, Malave-Dilan, Fisher, Henry, Linares, Michels, Perkins and Rodriguez; also Council Members Eisland, Koslowitz, Nelson and Quinn

Whereas, The Immigration Fairness Restoration Act of 2000 ("IFRA") would cure many of the harsh effects unduly caused by the sweeping legislative revisions made in 1996 pursuant to the Illegal Immigration and Immigrant Responsibility and Anti-Terrorism and Effective Death Penalty Acts; and

Whereas, The IFRA would restore the principles of justice and proportionality to grounds for removal (formerly called deportation), while now, each day, countless immigrants have been unjustly torn from their loved ones due to the effects of the 1996 Acts which in many cases requires removal of individuals who have committed non-violent or victimless crimes for which they were convicted many years ago; and

Whereas, The IFRA would prohibit punitive retroactive application of the 1996 Acts and assure that an immigrant would not be removable or excluded for any offense that was not grounds for removal or exclusion on the date the crime was committed; and

Whereas, The IFRA would return the definition of "crimes involving moral turpitude" to the pre-1996 description, which required a one-year prison sentence, while now, even a minor crime may be defined as one involving moral turpitude, or else classified as an "aggravated felony," both conditions providing grounds for removal; and

Whereas, Immigration judges would be able to again under the IFRA provide discretionary relief on a case by case basis, and all administrative decisions to remove would again be subject to federal judicial review; and

Whereas, The continued presence in the United States would be restored as a factor in granting relief from removal, and immigrants would not be penalized for a temporary leave from the United States based on an urgent and legitimate basis; and

Whereas, The IFRA would compel immigration judges to defer to a state criminal court as to determination of guilt for an offense which serves the basis of removal proceedings; and

Whereas, Under the IFRA, Waivers from removal would be restored for relatives of United States citizens and legal residents as well as those who would face persecution if returned to his or her country; and

Whereas, Detention of immigrants awaiting immigration decisions or removal would be imposed more sparingly than the current law allows; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Senate to fully support passage of the Immigration Fairness Restoration Act of 2000, also known as the Kennedy-Graham Bill, thereby ensuring that United States immigration law continue to reflect our tradition as a nation of just laws.

LS # 3532