



Legislation Text

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Res. No. 1065

Resolution urging the U.S. Citizenship and Immigration Services to make visas, or other appropriate benefits, available to victims of immigration schemes who assist government officials in investigating or prosecuting the fraudulent activity.

By Council Members Dromm, Brewer, Cabrera, Chin, Ferreras, Jackson, James, Koppell, Lander, Mark-Viverito, Mendez, Palma, Rose, Van Bramer, Vann and Williams

Whereas, Recently, U.S. Department of Homeland Security (DHS) launched a coordinated, nationwide effort among federal and state agencies and local immigrant aid organizations to crack down on fraudulent immigration service providers, including lawyers; and

Whereas, In 2010, the New York State Attorney General's Office stated that fraudulent immigration service providers defrauded immigrant New Yorkers out of millions of dollars in recent years; and

Whereas, Both federal appeals courts and immigration courts in New York City have been deluged with cases of immigrants who were misled by unlicensed and unqualified immigration service providers; and

Whereas, Immigration service providers are prohibited from falsely claiming to offer legal services, yet the 230 inspections conducted as part of the New York City Department of Consumer Affairs' (DCA) investigations since 2009 resulted in \$288,268 in fines for this and other offenses; and

Whereas, The DCA's efforts to eliminate the bad actors in this field will be more effective with active support and participation by immigrant New Yorkers; and

Whereas, Many immigrants are reluctant to work with law enforcement and government officials to prosecute unqualified and fraudulent immigration service providers due to prevalent fears that their identities

may become known to Immigration and Customs Enforcement agents, which could ultimately lead to their removal from the United States; and

Whereas, According to the U.S. Citizenship and Immigration Services (USCIS), the U visa is set aside for victims of certain crimes who have suffered substantial mental or physical abuse as a result of the criminal activity and are willing to help law enforcement authorities in the investigation or prosecution of the criminal activity; and

Whereas, If USCIS issued U visas or comparable benefits to victims of immigration fraud, it would allow such victims to stay legally in the United States and protect them from adverse immigration consequences; and

Whereas, Immigrants who are shielded from the specter of removal can provide valuable assistance not only to local, state, and federal law enforcement but also to USCIS; now therefore, be it

Resolved, That the Council of the City of New York urges the U.S. Citizenship and Immigration Services to make visas, or other appropriate benefits, available to victims of immigration schemes who assist government officials in investigating or prosecuting the fraudulent activity.

JSM
8/9/11
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