



Legislation Text

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Res. No. 924

Resolution urging Congress not to pass the REAL ID Act, which would adversely affect immigrants living in New York City and nationwide as well as refugees seeking asylum in the United States.

By Council Members Stewart, Brewer, James, Liu, Monserrate, Nelson, Sanders Jr. and Weprin

Whereas, On January 26, 2005, Representative Sensenbrenner introduced H.R. 418 (“the REAL ID Act”) in the House of Representatives; and

Whereas, This bill includes many of the provisions defeated in H.R. 10 from the previous Congressional session that were deliberated and debated at length before being eliminated; and

Whereas, While the stated goal of the REAL ID Act is to prevent terrorist attacks by disrupting terrorist travel, the bill contains numerous provisions that would hurt immigrants living and working nationwide as well as refugees seeking asylum in the United States; and

Whereas, Specifically, the bill would make it harder for persons to seek asylum in the United States by requiring refugees to prove that the “central” reason for their persecution was based on race, religion, national origin, political opinion or social group, and to produce corroborating evidence that is often difficult or impossible to obtain; and

Whereas, The bill would limit due process by increasing the power of immigration agents and bondsmen while limiting habeas corpus judicial review over detention proceedings and eliminating temporary stays of removal; and

Whereas, Furthermore, The REAL ID Act would impose federal standards on drivers’ licenses that would surpass state driver’s license guidelines, preventing immigrants who cannot prove lawful presence from

obtaining drivers' licenses and resulting in the revocation of hundreds of thousands of licenses of immigrants who depend on driving to maintain employment, access services and support their families; and

Whereas, The bill also would require drivers' licenses for non-citizens to expire on the same date as their visa expires, which would create difficulties for persons whose visa status changes, empower staff at state Department of Motor Vehicle agencies to act as immigration agents and create a two-tiered license system; and

Whereas, In addition, the bill would broaden the circumstances under which a person can be associated with terrorism and enables the Department of Homeland Security to waive all laws in order to complete the construction of border barriers; and

Whereas, In addition to the harmful substance of the REAL ID Act, the process in which the REAL ID Act has been presented to the Senate has not allowed for sufficient discussion or debate; and

Whereas, The REAL ID Act was passed by the House of Representatives on February 10, 2005, and subsequently attached to an appropriations bill in the House of Representatives in March; and

Whereas, The bill is currently in the Senate as an attachment to the appropriations bill regarding emergency spending for Iraq and Tsunami relief, which puts pressure on members of the Senate to pass the bill in its entirety despite concerns regarding the REAL ID Act; and

Whereas, The bill may be presented to the Senate floor for debate in the very near future; and

Whereas, Advocates, legal experts and concerned individuals across the country have voiced opposition to the REAL ID Act; and

Whereas, While the United States needs immigration reform that respects the rights of immigrants living in the United States and those seeking refuge here from persecution, the REAL ID Act would hurt immigrant communities in New York City and nationwide; now, therefore, be it

Resolved, The Council of the city of New York urges Congress not to pass the REAL ID Act, which would adversely affect immigrants living in New York City and nationwide as well as refugees seeking asylum in the United States.

