



Legislation Text

File #: Res 0285-2010, **Version:** *

Res. No. 285

Resolution calling upon the United States Congress to immediately repeal the ban on federal funding of ACORN and any subsidiaries, affiliates or allies of ACORN, supporting the ruling of the district court in the ACORN v. United States case that the aforementioned legislation constitutes an unconstitutional bill of attainder and urging the Department of Justice to discontinue its appeal in this case.

By Council Members Williams, Barron, Chin, James, Lander, Mendez, Jackson, Reyna, Rodriguez and Mark-Viverito

Whereas, The Association of Community Organizations for Reform Now, Inc., otherwise known as ACORN, stands as one of the nation's largest and most successful community organizations servicing both middle and lower income families; and

Whereas, This organization has recently experienced a congressional funding ban due to the discovery of undercover videos that seemed to show the organization's employees offering advice on how to break the law; and

Whereas, ACORN initiated a lawsuit to challenge this ban, ACORN v. United States; and

Whereas, United States District Judge Nina Gershon found that the congressional ban on funding for ACORN was an unconstitutional bill of attainder; and

Whereas, This ban on federal funding has already adversely affected ACORN financially, and it has also and will continue to impact the organization's image and standing even if their opportunity to apply for federal funding is restored in the future, and

Whereas, Because of the loss of federal funding, many ACORN state affiliates were forced to close their offices at the time that the federal district court was reviewing the organization's request for injunctive relief; and

Whereas, Some local and state ACORN affiliates subsequently decided to dissolve their affiliation with ACORN and some of the organizers involved with those local organizations formed new organizations to continue their work; and

Whereas, As a result of these actions, at its meeting on March 21, 2010, the ACORN Board decided to shut down and dissolve all remaining state and local ACORN affiliates as of April 1, 2010; and

Whereas, Currently, national ACORN has decided not to dissolve or declare bankruptcy; and

Whereas, A new ACORN Board of Directors will make a final decision on the future of the organization in the coming months; and

Whereas, The aforementioned Congressional ban on funding to ACORN and affiliated organizations has had a harmful effect on New York City residents, particularly its poor residents, in that ACORN and affiliated or allied organizations performed valuable services for residents in the City; and

Whereas, In order for ACORN to have a chance at surviving its financial troubles, the court order issued by the district court judge that requires the federal Office of Management and Budget to instruct agencies to inform subcontractors that the ban on ACORN was unconstitutional, requires the defendants to remove the Congressionally imposed bar to ACORN funding, rescinds the Congressional suspension of ACORN contracts and funding and requires paying ACORN the federal funds they would have been entitled to, must be enforced immediately; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to immediately repeal the ban on federal funding of ACORN and any subsidiaries, affiliates or allies of ACORN, and, be it further

Resolved, That the Council of the City of New York supports the ruling of the district court in the case of ACORN v. United States that the aforementioned legislation constitutes an unconstitutional Bill of Attainder and urges the Department of Justice to discontinue its appeal in this case.

LS# 866
AS 5-26-10