

Res. No. 1009-A

Resolution expressing continued opposition to the REAL ID Act of 2005, included as part of the Emergency Supplemental Appropriations Act passed by Congress and signed by President Bush in May 2005 and urging New York State to opt out of implementing the law's provisions regarding issuance of driver's licenses to immigrants.

By Council Members, Stewart, James, Weprin, Liu, Quinn, de Blasio, Vann, Comrie, Arroyo, Felder, Nelson, Palma, Lopez, Clarke, Perkins, Jackson, Katz, Monserrate, Sears, Boyland, Reyna, Jennings Jr., Barron, Foster, Brewer and Martinez

Whereas, In May 2005, Congress passed and President Bush signed an emergency war and tsunami relief appropriations bill, to which the REAL ID Act of 2005 had been appended; and

Whereas, Because Congress passed the REAL ID Act of 2005 as part of an emergency appropriations bill, there was no real debate or deliberation regarding the merits of the bill or the impact it would have; and

Whereas, While the stated goal of the REAL ID Act of 2005 is to prevent terrorist attacks by disrupting terrorist travel, it contains numerous provisions that will hurt immigrants living and working nationwide as well as refugees who seek asylum in the United States; and

Whereas, Specifically, the legislation makes it more difficult 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 new law also imposes federal standards on drivers' licenses that surpass state guidelines and will prevent many immigrants from obtaining drivers' licenses; and

Whereas, Under the new law, drivers' licenses from states that do not comply with the new standards will not be accepted as proof of identity by federal agencies; and

Whereas, Many states have argued that provisions of the REAL ID Act of 2005 relating to drivers' licenses impose burdensome requirements that the federal government has not provided resources to implement; and

Whereas, Advocates, legal experts and concerned individuals across the country also have voiced grave concerns regarding the impact the REAL ID Act will have on immigrants; and

Whereas, The provisions of the REAL ID Act of 2005 relating to drivers' licenses supercede provisions of the Intelligence Reform and Terrorism Prevention Act of 2004, passed in December 2004, which created a framework for improving state practices for the issuance of drivers' licenses through an open rule-making process, which would bring together many interested parties and experts, including state elected officials, motor vehicle department officials and homeland security officials to develop new federal standards; and

Whereas, Numerous organizations across the nation, including the National Governors Association and the National Conference of State Legislatures, have expressed serious concerns about the Real ID Act; and

Whereas, Whereas the Congressional Budget Office has estimated that implementation of the Real ID Act will cost \$100 million over five years, estimates made by states have suggested far greater costs; and

Whereas, For instance, Washington has estimated that it may need to spend \$97 million for implementation over the next two years, Pennsylvania has estimated costs of \$100 million and Virginia has estimated costs of over \$230 million; and

Whereas, The provisions of the law relating to drivers' licenses and other forms of identification do not take effect until 2008; and

Whereas, While the United States needs immigration reform that enhances the security of this country and respects the rights of immigrants living in the United States and those seeking refuge here from persecution, the REAL ID Act of 2005 will hurt immigrant communities in New York City and nationwide; and

Whereas, The State of New York should seek to find alternatives to complying with the drivers' license provisions of the REAL ID Act of 2005, so as to protect the livelihoods of millions of immigrants who must drive and might otherwise have to do so unlawfully; now, therefore, be it

Resolved, That the Council of the City of New York expresses continued opposition to the REAL ID Act of 2005, included as part of the Emergency Supplemental Appropriations Act passed by Congress and signed by President Bush in May 2005 and urges New York State to opt out of implementing the law's provisions regarding issuance of driver's licenses to immigrants.

