

Legislation Text

File #: #17-0429, Version: 1

PREPARED BY: MATT RODRIGUEZ

DATE OF MEETING: 10/16/17

SUBJECT:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO IN SUPPORT OF THE FEDERAL DEFERRED ACTION FOR CHILDREN ARRIVALS (DACA) PROGRAM AND CALLING FOR NEW BI-PARTISAN LEGISLATION TO LEGALLY ENACT THE FEDERAL DREAM ACT

CITY MANAGER RECOMMENDATION

As directed by Resolution 2017-196, the City Council to consider adoption of said Resolution; the City Manager has no recommendation on this policy matter

COMPLIANCE STATEMENTS

FY 2015-17 Council Priority Workplan Compliance Statement

Support for Federal DACA Program and California Dream Act of 2011 (AB 120/131) is an adopted policy contained in the FY 2015-17 Council Priority Workplan, effective October 1, 2016.

CEQA Compliance Statement

This is not a project as defined by CEQA.

BACKGROUND

On October 2, 2017, the City Council adopted Resolution 2017-196 which authorized the FY 2015-17 Council Priority Workplan to be amended to add the following new policy item, as follows:

“Support for the Federal Deferred Action for Children Arrivals (DACA) program and to engage with congressional representatives on bipartisan efforts to legally enact the Federal Dream Act.”

Additionally, the City Council directed development of a Resolution of Support to be scheduled for formal consideration by the City Council at their October 16, 2017 City Council meeting.

The Federal Deferred Action for Childhood Arrivals (DACA) has benefitted nearly 800,000 undocumented immigrant children and young adults in the United States since implementation began by the former Obama Administration in 2012, with 740,000 people officially registered through DACA since January 2017. The DACA program provides a variety of benefits for them including employment authorization and protection from deportation. The DACA program enabled immigrants who came to the United States before age 16 to apply for two-year renewable permits to live and work here if they have lived in the country continuously since 2007, and were in school or have graduated from high school. Of the 800,000 participating immigrants, more than 200,000 live in California.

The Federal DACA program also enables these undocumented children to obtain drivers' licenses,

access higher education, develop important skill sets, find work, serve in the military, and generally contribute meaningfully to the economic and social vibrancy of their communities. Proponents of the DACA program believe that enabling undocumented immigrant children and young adults to live and work in local communities without fear of deportation is fundamentally consistent with the goal of protecting all children and young adults and fostering their development as excellent, active members of our community.

The U.S. Justice Department announced on September 5, 2017 that it is ending DACA, while also giving Congress a six-month window to possibly save the policy. Under the plan, announced by U.S. Attorney General Jeff Sessions, the Trump administration will stop considering new applications for legal status, but will allow any DACA recipients with a permit set to expire before March 5, 2018, the opportunity to apply for a two-year renewal if they apply by October 5. The Department of Homeland Security will recognize DACA authorizations until they expire at the end of their two-year lifespans, which means the program runs out at different times for different recipients. The last authorization would end March 5, 2020.

DACA proponents argue that if the Federal government without any new legislation to replace the program abandons DACA, then 742,000 undocumented children who call this nation home will be left anxious and unsure of their legal status. It could result in the deportation of many young people to countries that they do not know..

DACA proponents further argue that if DACA is repealed, then nationally there are economic impacts, as follows:

- 87% of DACA recipients are employed by American businesses, and 6% of DACA recipients have started their own businesses; and
- ending DACA and would lead to the loss of at least \$3.4 billion from the U.S. gross domestic product (GDP) over the next decade which will severely impact the US and local economies; and
- the U.S. Armed Forces rely on DACA applicants to serve through Military Accessions Vital to the National Interest (MAVNI), which enlists individuals who are fluent in critical languages or possess medical professional skills essential to the defense of our nation; and
- DACA helps further domestic public safety by ensuring that participants can obtain driver's licenses and car insurance, which makes our streets and highways safer.

Federal DREAM ACT

The initial Federal DREAM Act was bipartisan legislation first introduced in Congress in 2001. Known formally as "Development, Relief and Education for Alien Minors Act" it has been reintroduced several times, including a big push in 2010, but failed to gain sufficient Congressional support. This bill aimed to create a pathway to citizenship for undocumented children who grew up in the United States. To date, no Federal DREAM Act legislation has been formally introduced following the Federal Justice Department's announcement to end the Federal DACA program on September 5, 2017. Many states have passed their own immigration legislation, such as the State of California DREAM ACT passed in 2011 which was divided into two bills: AB130 and AB131. AB130 was signed by Governor Brown on

July 25, 2011, and AB131 was signed by Brown on October 8, 2011. Both of these bills were formally supported by the San Pablo City Council, and are adopted policy items contained in the FY 2015-17 Council Priority Workplan, effective October 1, 2016.

City Manager Recommendation - Federal DACA Program/Federal DREAM Act

The City Manager has no recommendation for the City Council on this policy matter. Following the City Council meeting on October 2, 2017, a Resolution was directed by the City Council via Resolution 2017-196 for formal consideration at the October 16, 2017 City Council meeting.

FISCAL IMPACT

None associated with this action.

Attachment: Resolution 2017-196