


**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: May 10, 2019

TO: Honorable Members of the Rules, Elections & Intergovernmental Relations Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst

Council File No: 19-0002-S55
Assignment No: 19-04-0314

SUBJECT: Resolution to SUPPORT H.R. 6 (Roybal-Allard), the American Dream and Promise Act of 2019.

CLA RECOMMENDATION: Adopt Resolution (Martinez – Cedillo – Price) to include in the City’s 2019-2020 Federal Legislative Program, SUPPORT for H.R. 6 (Roybal-Allard), the American Dream and Promise Act of 2019, which would provide lawful resident status and a path to permanent resident status to immigrants who entered the United States as children or have been designated as eligible for Temporary Resident Status or Deferred Enforced Departure.

SUMMARY

The Resolution (Martinez – Cedillo – Price), introduced April 3, 2019, advises that the Obama Administration created the Deferred Action for Childhood Arrivals (DACA) Program to provide immigrants who entered the United States as children with lawful resident status in response the Congress’ repeated inability to pass the Development, Relief, and Education for Alien Minors (DREAM) Act. Temporary Protected Status (TPS) and Deferred Enforced Departure (DED), which provide relief from removal to nationals from designated countries, have been identified for elimination or reduction.

The Resolution further advises that pending before the United States House of Representatives is H.R. 6 (Roybal-Allard), the American Promise and Dream Act of 2019, which would provide lawful resident status and a path to permanent resident states to immigrants who entered the US as children or have been designated as eligible for TPS or DED. Withdrawing the protections for vulnerable immigrants would directly place them into conditions of physical danger. California’s large share of TPS and DACA recipients obligates the City to ensure the safety and welfare of these families, as well as to ensure the equity of all City residents.

The Resolution recommends that the City support H.R. 6 (Roybal-Allard), the American Dream and Promise Act of 2019, which would provide lawful resident status and a path to permanent resident status to immigrants who entered the United States as children or have been designated as eligible for Temporary Resident Status or Deferred Enforced Departure.

BACKGROUND

The DREAM Act, which would provide for an adjustment of status for immigrants who arrived in the US at a young age or immigrants who are receiving an education, has been re-introduced in several instances since 2001. In 2012, the Obama Administration created the DACA program which replicated the regulations proposed by the DREAM Act in response to the Congress’ inability to pass the Dream Act. In 2017, the Trump Administration attempted to terminate the DACA program but has been required to continue accepting applications as a result of injunctions from several court challenges pending resolution.

TPS and DED provide for deferred deportation enforcement for nationals from El Salvador, Honduras, Haiti, Nicaragua, Nepal, Somalia, Sudan, South Sudan, Syria, Yemen, and Liberia have been designated by the Department of Homeland Security (DHS).

In 2018, the DHS issued a memo announcing the end of TPS status for El Salvador, Nicaragua, Haiti, and Sudan. Nepal and Honduras were subsequently identified for TPS status termination. On October 3, 2018, the termination of TPS status for the protected countries was halted by an injunction in Ramos v. Nielson. The DHS extended the TPS status for these countries until January 2, 2020 pending resolution of the case. Liberia is currently the only country with a DED designation. In 2018, President Trump directed the DHS to wind down DED protections for Liberia. In response to opposition against the termination of DED for Liberia, the DHS released a memo extending the DED designation for 12 more months.

Termination of TPS and/or DED status will result in protected individuals currently residing in the United States being required to leave the country or risk deportation. According to the Center for American Progress, there are approximately 112,900 TPS or DED protected individuals currently residing in Los Angeles, the highest amount of any city in the United States.

H.R. 6 has been introduced in the United States House of Representatives and referred to the Committee on the Judiciary and the Committee on Education and Labor. A companion bill, S. 874 (Graham) has also been introduced in the Senate. The Democratic Party has designated H.R. 6 as a priority for the current legislative session.

Support for H.R. 6 (Roybal-Allard), the American Promise and Dream Act, is consistent with City efforts to ensure inclusiveness for all residents and ensure the welfare of the City's immigrant communities.

DEPARTMENTS NOTIFIED

BILL STATUS:

03/12/19	Introduced in the House
03/12/19	Referred to Committee on the Judiciary and the Committee on Education and Labor
03/14/19	Referred to the Subcommittee on Immigration and Citizenship of the Committee on the Judiciary


Andy Galan
Analyst

Attachments: 1. Resolution (Martinez – Cedillo – Price)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, in order to address Congress' repeated inability to pass the Development, Relief and Education for Alien Minors (DREAM) Act, on June 15, 2012 the Obama Administration created the Deferred Action for Childhood Arrivals (DACA) Program which provided lawful resident status to immigrants who entered the US as children; and

WHEREAS, since its inception, DACA provided an education, employment, and security to young immigrants while demonstrating the effectiveness of a compassionate and common-sense immigration policy; and

WHEREAS, Temporary Protected Status (TPS) and Deferred Enforced Departure (DED), which provide temporary relief from removal to foreign nationals from designated countries, have been identified for reduction or elimination by the Trump Administration; and

WHEREAS, the cancellation of TPS and DED statuses have left over a million individuals residing the United States with an uncertain future, fearing deportation to dangerous situations or unfamiliar countries; and

WHEREAS, currently pending before the United States House of Representatives is H.R. 6 (Roybal-Allard), the American Dream and Promise Act of 2019, which would provide lawful resident status and a path to permanent resident status to immigrants who entered the United States as children or have been designated as eligible for Temporary Resident Status or Deferred Enforced Departure; and

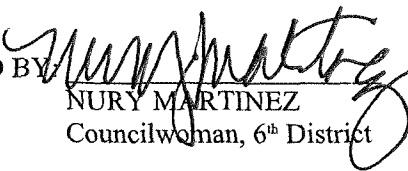
WHEREAS, this bill would provide a path to permanent residence status to all those who are threatened by the cancellation of TPS and DED, ending the uncertainty which they have had to face as a result of the actions of the Trump Administration; and

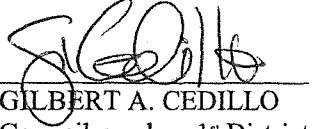
WHEREAS, by withdrawing aid and protections for vulnerable countries, the Trump Administration reinforces the tenuous conditions of those countries which cause migration and will directly place vulnerable individuals and families into conditions of physical danger; and

WHEREAS, California has a significant allocation of TPS and DACA recipients, giving us an obligation to ensure these families remain in a safe environment to live and raise their children; and

WHEREAS, the City of Los Angeles consistently strives to support and advocate for all of its residents, regardless of immigration status, in order to ensure equity and the welfare of all City residents;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-2020 Federal Legislative Program SUPPORT for H.R. 6 (Roybal-Allard), the American Dream and Promise Act of 2019, which would provide lawful resident status and a path to permanent resident status to immigrants who entered the United States as children or have been designated as eligible for Temporary Resident Status or Deferred Enforced Departure.

CO-PRESENTED BY: 
 NURY MARTINEZ
 Councilwoman, 6th District

CO-PRESENTED BY: 
 GILBERT A. CEDILLO
 Councilmember, 1st District

SECONDED BY: 