

**REPORT OF THE  
CHIEF LEGISLATIVE ANALYST**

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DATE: June 28, 2019

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

FROM: Sharon M. Tso *SSL*  
Chief Legislative Analyst

Council File No: 19-0002-S89  
Assignment No: 19-05-0552

SUBJECT: Resolution to OPPOSE any legislation or administrative action that that would establish a merit-based immigration system as proposed by the President.

CLA RECOMMENDATION: Adopt Resolution (Martinez – Huizar) to include in the City’s 2019-2020 Federal Legislative Program, opposition to any legislation or administrative action that would establish a merit-based immigration system as proposed by the President.

SUMMARY

The Resolution (Martinez – Huizar), introduced May 17, 2019, advises that on May 16, 2019 President Trump proposed a merit-based immigration system which would change the process for immigrants attempting to gain legal permanent residence or citizenship in the United States. The proposed system would provide citizenship through a point based system under which age, income-level, English proficiency, and education level as considerations for approval. This policy would deny the most vulnerable immigrants the possibility of obtaining citizenship. The Trump Administration has consistently enacted harmful, discriminatory immigration policies and has continued the use of inappropriate rhetoric comparing immigrants to criminals.

The Resolution further advises that the Trump administration unveiled the plan without bipartisan support in order to appeal to political fringes. The proposed merit-based immigration system discriminates against older, less educated, and low-income immigrants seeking legal entry to the United States. The City of Los Angeles recognizes the merit and contributions of immigrants regardless of age, gender, income level, education level, or native language.

The Resolution recommends that the City oppose any legislation or administrative action which would establish a merit-based immigration system as proposed by President Trump.

BACKGROUND

Under the current immigration law, prospective immigrants may apply for lawful permanent resident status in the United States if they are relatives of citizens or permanent residents, if they are accepted under asylum, through lottery, or several other considerations. Approximately 1.1 million immigrants are accepted into the United States as lawful permanent residents each year under these classifications. Family-based admissions comprise about 2/3rd’s of annually admitted immigrants, most of them being immediate relatives of United States residents.

Family-based preference in the legal immigration process has been codified since the 1952 Immigration and Nationality Act established existing immigration pathways, including family-based and employment-based acceptance.

A lower number of lawful permanent resident status is granted through employment-based considerations, among which the number of those admitted are currently skewed towards skilled workers. Unskilled workers are generally admitted through temporary visas, which require workers to return to their countries of origin after a period of time and are generally more restrictive, requiring employment and limiting the accompaniment of dependents. The legal immigration process is distinct from the process for the Deferred Action for Childhood Arrivals (DACA) Program which grants temporary lawful permanent status to foreign nationals brought to the United States as children.

On May 16, 2019, President Trump proposed a merit-based immigration system through an address at the White House Rose Garden. The proposal presented by the President outlined increased border security measures and reform of the current legal immigration system. The proposed merit-based immigration system would modify the distribution of visas granted annually, but would not change the total number of admissions per year. Under the proposed plan, the number of family-based admissions would be drastically reduced and limited to only children and spouses of US residents. The focus of the immigration system would shift from family-based to employment-based admissions with priority given to high-wage workers.

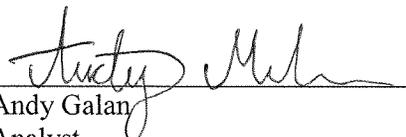
Furthermore, the immigration system would shift to a “merit-based” system by which prospective immigrants would receive additional consideration for being younger, higher-income, well-educated, and proficient in the English language. Applicants would also be required to pass a civics exam. The President also proposed reform of the asylum admission system, with increased priority on screening “frivolous” or “meritless” claims.

The proposed merit-based immigration system was outlined in an address delivered by the President. In order to be implemented, the proposal would need to be drafted into a bill. The bill would subsequently be considered by the United States Congress.

Opposition to any legislation or administrative action which would establish a merit-based immigration system as proposed by President Trump is consistent with City efforts to encourage the reunion of immigrant families and support an equitable immigration system.

DEPARTMENTS NOTIFIED

None

  
Andy Galan  
Analyst

Attachments: 1. Resolution (Martinez – Huizar)

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, on May 16, 2019 President Trump unveiled a "merit-based immigration system" which would alter the process for immigrants attempting to gain legal permanent residence or citizenship in the United States; and

WHEREAS, the proposed system would provide citizenship through a point-based system which identifies age, income level, English proficiency, and education-level as considerations for approval; and

WHEREAS, this policy of favoritism and discrimination would deny the most vulnerable immigrants, escaping economically and politically distressed countries, the possibility of obtaining citizenship; and

WHEREAS, the Trump Administration has consistently enacted harmful, discriminatory immigration policies such as changes to the public charge rule, the elimination of DACA, the elimination of Temporary Protected Status and Deferred Enforced Departure designations, and the zero tolerance policy which resulted in the separation of thousands of families; and

WHEREAS, President has continually repeated inexcusable rhetoric used during the 2016 presidential campaign likening immigrants to criminals, presenting them as a threat to the safety of the United States; and

WHEREAS, the Trump administration unveiled this plan without bipartisan support, utilizing immigration policy for political purposes, endangering the social fabric of immigrant communities in order to appeal to political fringes; and

WHEREAS, the proposed merit-based immigration system is an absolutely morally bankrupt policy which discriminates against older, less educated, and low-income immigrants seeking legal entry into the United States; and

WHEREAS, the City of Los Angeles recognizes that regardless of age, gender, income level, education level, or native language, immigrants are inherently meritorious and contribute to the diversity and economic resilience of the United States;

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 OPPOSITION to any legislation or administrative action which would establish a merit-based immigration system as proposed by the President.

PRESENTED BY:

*Nury Martinez*  
NURY MARTINEZ  
Councilwoman, 5<sup>th</sup> District

SECONDED BY:

*[Signature]*

ORIGINAL

*[Signature]*  
MAY 17 2019