

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: January 23, 2017

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

FROM: Sharon M. Tso *HEK for*
Chief Legislative Analyst

Council File No: 17-0002-S3
Assignment No: 16-12-1009

SUBJECT: Resolution (Huizar-Wesson) to SUPPORT President Obama's executive actions related to immigration.

CLA RECOMMENDATION: Adopt Resolution (Huizar-Wesson) to include in the City's 2017-2018 Federal Legislative Program, SUPPORT for President Obama's executive actions that provide assistance to immigrants and OPPOSE any administrative or legislative action that would reverse immigration relief created under President Obama.

SUMMARY

Resolution (Huizar-Wesson), introduced November 11, 2016, states that on November 20, 2014, President Obama announced a series of executive actions to address undocumented immigration. The Resolution states that the executive actions included the expansion of the Deferred Action for Childhood Arrivals (DACA), a new Deferred Action for Parental Accountability (DAPA), and programs to protect students brought here as children. The executive orders also included provisions for enhanced border security, prioritizing deportation of felons rather than families, and accountability measures such as ensuring that immigrants pass background checks and pay their fair share in taxes. The Resolution further states that there are approximately 740,000 immigrants brought into this country as children, with tens of thousands of these "Dreamers" residing in the City of Los Angeles. The Resolution therefore requests that the City support any legislative or administrative action that will preserve President Obama's executive actions related to immigration.

BACKGROUND

DACA was originally enacted in 2012. According to United States Citizenship and Immigration Services (USCIS), individuals are allowed to apply for deferred action under the original DACA if:

1. They were under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching their 16th birthday;
3. Have continuously resided in the United States since June 15, 2007, up to the present time;

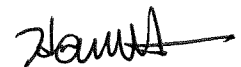
4. Were physically present in the United States on June 15, 2012, and at the time of making the request for consideration of deferred action with USCIS;
5. Had no lawful status on June 15, 2012;
6. Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
7. Have not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

These executive actions include the following initiatives:

1. Expanding the population eligible for the DACA program to people of any age who entered the United States before the age of 16 and lived in the United States continuously since January 1, 2010, and extending the period of DACA and work authorization from two years to three years.
2. Allowing parents of U.S. Citizens and lawful permanent residents to request deferred action and employment authorization for three years, in a new DAPA and Lawful Permanent Residents program, provided they have lived in the United States continuously since January 1, 2010, and pass required background checks.
3. Expanding the use of provisional waivers of unlawful presence to include the spouses, sons and daughters of lawful permanent residents and the sons and daughters of U.S. citizens.
4. Modernizing, improving and clarifying immigrant and nonimmigrant visa programs to grow the economy and create jobs.
5. Promoting citizenship education and public awareness for lawful permanent residents and providing an option for naturalization applicants to use credit cards to pay the application fee.

DAPA and the DACA expansion are currently the subject of ongoing litigation.

The Resolution is consistent with the City of Los Angeles' past positions on immigration, which have sought to provide a pathway to citizenship for law abiding undocumented residents and promote civil integration.



Henry Flatt
Analyst

Attachment: 1. Resolution (Huizar-Wesson)

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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 November 20, 2014, President Obama announced a series of executive actions to address undocumented immigration, taking a critical step in mending the country's immigration system; and

WHEREAS, the executive actions focused on improving border security, prioritizing deportation of felons not families, and accountability, ensuring that undocumented immigrants pass background checks and pay their fair share in taxes; and

WHEREAS, the executive actions include the expansion of the Deferred Action for Childhood Arrivals (DACA), a new Deferred Action for Parental Accountability (DAPA), and programs that would reduce family separation, protect students (aka "Dreamers"), and boost the economy; and

WHEREAS, President Obama's executive actions protect approximately 740,000 undocumented immigrants brought to this country as children, with tens of thousands such "Dreamers" living in the City of Los Angeles; and

WHEREAS, in December 2014, a coalition of states and governors challenged President Obama's executive actions blocking their implementation and in 2016, the Supreme Court's evenly split 4-4 ruling returned the case to the lower court; and

WHEREAS, the parties have filed a joint motion in the lower court to stay the proceedings, including establishing a schedule for resolution on the matter to February 20, 2017; and

WHEREAS, the City values the significant contributions made by immigrants to the cultural and economic vitality of this City and Country; and

WHEREAS, the City finds it imperative that the new Presidential administration protect the rights of immigrants through initiatives that promote accountability, support families, and further economic growth;

NOW, THEREFORE, BE IT RESOLVED, with concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2017-2018 Federal Legislative Program SUPPORT for President Obama's executive actions in support of immigrants and OPPOSE any administrative and legislative action that would reverse immigration relief created under President Obama's administration or counter his executive actions.

PRESENTED BY: 
JOSÉ HUIZAR
Councilmember, 14th District

SECONDED BY: 

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