

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

RESOLUTION NUMBER 2017-_____

A Resolution Opposing the Rescission of the Deferred Action for Childhood Arrivals (DACA) Program and Calling for a Path to Citizenship for Undocumented Immigrants

WHEREAS, Nearly one in three County of Alameda residents (32 percent) is an immigrant, including at least 526,148 naturalized United States citizens, legal permanent residents, temporary migrants, humanitarian migrants, and other foreign-born residents.¹²

WHEREAS, Immigrants are a vital and integral part of the social fabric of the County of Alameda and throughout our state and nation. More than 60 percent of immigrants in the County of Alameda have been living in the United States for 17 or more years.³ As longtime residents, immigrants and their U.S. born children have forged extensive ties within schools and workplaces and made positive contributions to the larger community.

WHEREAS, The Development, Relief, and Education for Alien Minors (DREAM) Act is a multi-phase process for undocumented immigrants in the United States that would first grant conditional residency and – upon meeting specific qualifications – permanent residency. The DREAM Act was first introduced in the U.S. Senate on August 1, 2001 and has been reintroduced several times, but has yet to be adopted.

WHEREAS, In June 2012, President Obama enacted a new policy calling for deferred action, or administrative relief from deportation, for certain undocumented immigrant youth. The program, Deferred Action for Childhood Arrivals (DACA), gives eligible undocumented youth who pass a background check a renewable two-year reprieve from deportation and work authorization.

WHEREAS, On August 15, 2012, DACA was implemented and U.S. Citizenship and Immigration Services (USCIS) began processing applications.

WHEREAS, Requirements for DACA include the following:

- The applicant was under 31 years old as of June 15, 2012;
- The applicant first came to the United States before their 16th birthday;
- The applicant has lived continuously in the United States from June 15, 2007 until the present;

¹ U.S. Census Bureau. 2015 American Community Survey One-Year Estimates, Table S0501 Selected Characteristics of the Native and Foreign-born Populations. Generated by ACPHD CAPE Unit using American FactFinder. May 1, 2017.

² U.S. Census Bureau. (2016, July 6). Foreign Born—About this Topic. Retrieved from https://www.census.gov/topics/population/foreign-born/about.html#par_textimage

³ U.S. Census Bureau. 2011-2015 American Community Survey Five-Year Estimates, Table B05005 Period of Entry by Nativity and Citizenship Status in the United States. Generated by ACPHD CAPE Unit using American FactFinder. May 1, 2017

- The applicant was physically present in the United States on June 15, 2012 and at the time of their application;
- The applicant was undocumented as of June 15, 2012;
- The applicant is currently in school, or has graduated from high school or earned a certificate of completion of high school or GED, or completed other education intended to prepare him/her for higher education or employment, or has been honorably discharged from the Coast Guard or military; and
- The applicant has NOT been convicted of a felony, certain serious misdemeanors (including a single DUI), or three or more misdemeanors of any kind.

WHEREAS, As of March 2017, U.S. Citizenship and Immigration Services (USCIS) had received 936,394 initial applications for DACA status, of which 787,580 (84 percent) were approved, 67,867 (7 percent) were denied, and 31,367 (3 percent) were pending. 799,077 requests for two-year renewals have been granted.⁴

WHEREAS, California has the majority of DACA participants, with about 223,000 approved – equaling 25 percent of the nationwide total number.⁵

WHEREAS, Almost all DACA-eligible individuals are students or workers, with three-quarters of working-age DACA-eligible individuals in the labor force as of 2014 and one-quarter of this subset managing the dual responsibility of college studies and employment.⁶

WHEREAS, DACA has significantly improved the lives of recipients. Of beneficiaries 25 years old or younger, 65 percent were empowered to pursue educational opportunities they previously could not, 69 percent obtained employment with higher pay, 80 percent secured a driver's license, and 55 percent obtained a state identification card.⁷

WHEREAS, On November 20, 2014, President Obama issued an executive order announcing an expansion of the DACA program. That order was stayed on February 16, 2015 when a Federal District Court in Texas issued an injunction that temporarily blocked the expanded program. The federal government appealed the order to the U.S. Supreme Court, but a tie vote in 2016 resulted in a non-decision, leaving the Texas court's ruling in place.

⁴ U.S. Citizenship and Immigration Services. Number of Form I-821D, Consideration of Deferred Action for Childhood Arrivals, by Fiscal Year, Quarter, Intake, Biometrics and Case Status Fiscal Year 2012-2017, March 31, 2017. Retrieved from https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca_performancedata_fy2017_qtr2.pdf

⁵ Senderling-McDonald, Cathy (California Welfare Directors Association of California). Message to California Welfare Directors. September 5, 2017. Email Communication.

⁶ Migration Policy Institute. Issue Brief: The Education and Work Profiles of the DACA Population by Randy Capps, Michael Fix, and Jie Zong, August 2017. Retrieved from <http://www.migrationpolicy.org/research/education-and-work-profiles-daca-population>

⁷ Results of Tom K. Wong, National Immigration Law Center, and Center for American Progress National DACA Study, August 2017. Retrieved from <https://cdn.americanprogress.org/content/uploads/2017/08/27164928/Wong-Et-Al-New-DACA-Survey-2017-Codebook.pdf>

WHEREAS, Ten state attorneys general threatened to file suit against the Trump Administration over the legality of the DACA program if said Administration did not end the program by September 5, 2017.

WHEREAS, On September 5, 2017, the Trump Administration announced that it would end the DACA program in six months in order to allow Congress time to find a legislative solution for the impacted DACA population.

WHEREAS, The 115th Congress has introduced multiple bipartisan bills aimed at providing all or a subset of DACA recipients and undocumented immigrant youth a pathway to legal permanent residency, including S. 1615 (DREAM Act of 2017), S. 128 and H.R. 496 (the BRIDGE Act), and H.R. 60 (the Enlist Act).

WHEREAS, Ending the DACA program would leave its beneficiaries uncertain about their future and concerned that they may have placed other undocumented family members at risk.

WHEREAS, The County of Alameda rejects policies that are restrictive towards and isolate or exclude immigrants, particularly when said policies jeopardize the physical and mental health of immigrants and the broader community by contributing to fear and stress, family separation, and reluctance to report crimes.

WHEREAS, The County of Alameda supports federal comprehensive immigration reform that provides a clear pathway to citizenship for all 11 million undocumented immigrants in the United States.⁸

WHEREAS, On July 30, 2013 the County of Alameda Board of Supervisors passed Resolution #2013-327 "Supporting Comprehensive Immigration Reform."

WHEREAS, On September 13, 2016 the County of Alameda Board of Supervisors passed Resolution #2016-274 "Regarding Upholding Due Process and Protecting Civil Rights of Immigrant Residents," and on September 27, 2016 passed Resolution #2016-393 "Designating Alameda County a Welcoming County for Immigrants and Refugees."

NOW, THEREFORE BE IT RESOLVED THAT THE COUNTY OF ALAMEDA BOARD OF SUPERVISORS strongly opposes the rescission of the Deferred Action for Childhood Arrivals (DACA) program; and

BE IT FURTHER RESOLVED, The County of Alameda Board of Supervisors calls on the 115th Congress to pass comprehensive immigration reform with a clear, affordable, and expedited pathway to permanent legalization in the United States for all undocumented immigrants – including nearly 800,000 DACA recipients – which respects the human rights of all immigrants; and

⁸ County of Alameda, California. (2016, December 20). 2017 Alameda County Legislative Platform. Retrieved from https://www.acgov.org/icpc/documents/2017_AC_Legislative_Platform.pdf

BE IT FURTHER RESOLVED, the County of Alameda Board of Supervisors calls on Congress to ensure that individuals with DACA status are not employed as a "bargaining chip" to advance an extremist agenda of militarizing the border and detaining or deporting millions of immigrant community members.

THE FOREGOING was PASSED and ADOPTED by a majority vote of the County of Alameda Board of Supervisors this ____ day of September 2017, by the following vote:

AYES:

NOES:

EXCUSED:

Wilma Chan
PRESIDENT, BOARD OF SUPERVISORS

Attest:
Clerk, Board of Supervisors

Approved as to Form:
Donna R. Ziegler
County Counsel

By _____


