



City of San Antonio

Agenda Memorandum

File Number:19-6424

Agenda Item Number: 3.

Agenda Date: 8/28/2019

In Control: Governance Committee

DEPARTMENT: Government & Public Affairs

DEPARTMENT HEAD: Jeff Coyle

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Briefing and discussion related to a CCR from Councilmember Viagran regarding a resolution in support of H.R. 6, the American Dream and Promise Act of 2019.

SUMMARY:

On June 28, 2019 Councilmember Viagran submitted a Council Consideration Request (CCR) for discussion of a resolution in support of Senate passage of H.R. 6, the American Dream and Promise Act of 2019.

BACKGROUND INFORMATION:

In June 2012, the Obama Administration issued a memorandum authorizing an administrative program that permitted certain individuals who came to the United States as juveniles and meet several criteria to request consideration of deferred action and work eligibility for a renewable two-year period. This program became known as Deferred Action for Childhood Arrivals (DACA). In September 2017 the Trump Administration, through the Acting Secretary of Homeland Security, issued a memorandum rescinding the DACA policy and initiating a phase-out of the program. Multiple lawsuits challenging the Administration's actions to end DACA were filed and have continued to move through the federal courts. The current status of the DACA program is that individuals who are, or previously were, DACA participants can apply to renew their status. New DACA applicants are not being accepted.

In October 2017, in response to the Administration's actions, City Council approved an amendment to the City's 115th Federal Legislative Program adding support for congressional action that would enable DACA participants to receive lawful status. The City Council approved the 116th Federal Legislative Program in January 2019. This program includes support for legislation that enables undocumented immigrants who came to the U.S. as children to earn lawful status.

Additionally, the Trump Administration has moved to end Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) protections. TPS and DED are programs which grant deportation protections for foreign nationals when their country of origin is unsafe to return to due to natural or man-made disasters - such as war, famine, epidemics, or other natural disasters. The Administration moved to end TPS for the countries of El Salvador, Honduras, Haiti, Nepal, Nicaragua, and Sudan. Multiple lawsuits have been filed challenging the

termination of the TPS and DED programs, temporarily blocking implementation while the lawsuits make their way through the court system.

On June 4, 2019, the House of Representatives passed H.R. 6, the American Dream and Promise Act of 2019. The bill would establish an earned pathway to U.S. citizenship for immigrant youth and current or potential holders of Temporary Protected Status (TPS) or Deferred Enforced Departure (DED); provide conditional permanent resident (CPR) status and a roadmap to lawful permanent resident (LPR) status and, eventually, U.S. citizenship for immigrant youth who entered the United State before age 18, have four or more years of residency, and graduated from high school or the equivalent. The bill would also provide an opportunity for people who currently have or who may be eligible for TPS or DED and have three or more years of residence in the U.S. to apply for LPR status and U.S. citizenship.

ISSUE:

The Governance Committee will consider passage of a resolution in support of legislation intended to provide a path to citizenship for individuals who are, were, or are eligible for the protections of the DACA and other protected status programs.

ALTERNATIVES:

As an alternative, the Governance Committee may provide guidance to staff to alter the proposed resolution or decide against moving forward with a resolution.

FISCAL IMPACT:

There is no fiscal impact associated with this item at this time.

RECOMMENDATION:

Staff recommends moving forward with a resolution for consideration by the full City Council in accordance with the discussion had by the IGR Council Committee on August 21, 2019.