



# Monterey County

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

## Board Report

Legistar File Number: 17-0940

September 11, 2017

**Introduced:** 9/6/2017

**Current Status:** Draft

**Version:** 1

**Matter Type:** General Agenda Item

Receive a recommendation from the Board of Supervisors' Legislative Committee regarding the adoption of a Resolution supporting "Dreamers" and the Deferred Action for Childhood Arrivals (DACA) Program.

### RECOMMENDATION:

It is recommended that the Board of Supervisors receive a recommendation from the Legislative Committee regarding the adoption of a Resolution supporting "Dreamers" and the Deferred Action for Childhood Arrivals (DACA) Program.

### SUMMARY:

On September 5, 2017, President Trump declared that he will repeal the Deferred Action of Childhood Arrivals (DACA) Program after a six-month period. The DACA Program has allowed over 230,000 undocumented residents of California who entered the U.S. as minors to apply to receive legal work permits and to significantly contribute to our nation's economic growth. The California Dream Act of 2011 has afforded over 20,000 undocumented students "Dreamers" access to quality higher education in order to contribute further to our society.

### DISCUSSION:

The Deferred Action for Childhood Arrivals (DACA) initiative was announced by President Obama, and implemented in a memorandum by the Secretary of Homeland Security, on June 15, 2012. The memorandum authorized an administrative program that permitted certain individuals who came to the United States as undocumented juveniles to request a temporary reprieve from removal known as "deferred action." Whether a requesting individual receives deferred action and eligibility for work authorization under DACA is at the discretion of the Department of Homeland Security (DHS). Qualifying individuals may request DACA if they came to the United States before the age of 16; are under age 31; are currently in school or have graduated, obtained a GED, or have been honorably discharged from the U.S. Armed Forces; have continuously resided in the United States since June 15, 2007; have not been convicted of a felony, "significant misdemeanor," three or more non-significant misdemeanors, and do not otherwise pose a threat to public safety or national security. Since DACA's inception, nearly 800,000 individuals have signed up, and in many states, including California, these individuals have been able to receive driver's licenses and in-state tuition at public colleges.

The Trump administration announced on September 5th that it would begin phasing out DACA on March 5, 2018. On September 4, 2017, Attorney General Jeff Sessions sent a letter to DHS Acting Secretary Elaine Duke stating DACA was an "unconstitutional exercise of authority by the Executive Branch" and that legal challenges to the program would "likely" result in DACA being deemed unlawful. On September 5, 2017, Acting Secretary Duke issued a memorandum officially rescinding the program. DHS will not process new DACA applications received after September 5th. The memorandum allows current DACA recipients to keep their work authorization and deferred action grants until they expire. Beneficiaries whose status expires before March 5, 2018 can renew their two-year deportation protection and work permit by October 5th. DACA recipients will begin to lose protection March 6,

2018. They will no longer be eligible for lawful employment and they will be deportable. However, recipients who renew their status before March 6th can continue to work for the length of their renewal, which may be up to two years. According to the Trump Administration, the six-month delay for ending DACA is intended to provide Congress with time to pass legislation, such as the DREAM Act, that would provide relief to DACA beneficiaries.

OTHER AGENCY INVOLVEMENT:

The County Administrative Office - Intergovernmental and Legislative Affairs (CAO-IGLA) Division prepared this report in coordination with the Office of Supervisor Luis Alejo. The Legislative Committee will meet on Monday, September 11, 2017, and is expected to provide a recommendation to the Board of Supervisors regarding this resolution. If the resolution is adopted by the Board, the CAO-IGLA Division will transmit the adopted resolution as directed in the resolution.

FINANCING:

Adoption of the proposed resolution has no impact of the County General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Adoption of the proposed resolution supports the Board's Strategic Initiative related to Economic Development both by promoting education opportunities, and economic growth.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by:

Annette D'Adamo, Management Analyst III

Approved by:

Nicholas E. Chiulos, Assistant CAO

Date: September 6, 2017

Attachment:

Resolution supporting "Dreamers" and the Deferred Action for Childhood Arrivals (DACA) Program