



## **Request for City Council Committee Action from the Neighborhood and Community Relations Department**

**Date:** June 28, 2012

**To:** Council Member Elizabeth Glidden, Intergovernmental Relations Committee  
Chair

Council Member Robert Lilligren, Chair, Committee of the Whole

**Referral to:** City Council

**Subject:** FY2013 Federal Agenda

**Recommendation:** To amend the federal agenda by adding to the policy section the following language:

- On June 15<sup>th</sup>, 2012 President Obama announced that the Department of Homeland Security will stop deporting young immigrants who meet certain conditions. In mid-August anywhere from 5,000 – 27,000 people in Minnesota will be able to submit an application to the US Customs and Immigration Service for "Deferred Action". Approved applicants will be able to qualify for what is known as "Deferred Action" based on the Department of Homeland Security's prosecutorial discretion measures. This means applicants will be eligible for a work permit, a social security number, and some protection against being deported. Applications will need to be renewed every two years.
- This is a major initiative that could, if fully implemented, prevent the unjust and unnecessary deportation of hundreds of thousands of young people who have lived in the United States for years, are productive members of our communities, and call America home. The policy directive is in lieu of the lack of congressional action on the federal DREAM Act.
- The City of Minneapolis recommends that in implementing the policy directive the Secretary of Homeland Security:
  - **Commit to complying with the implementation date of August 13, 2012.**  
In the June 15, 2012 memo from Secretary of Homeland Security Janet Napolitano, Immigration and Customs Enforcement (ICE) and U.S. Citizenship and Immigration Services are directed to begin implementing the new prosecutorial discretion process within 60 days of the date of the memorandum. Complying with the August 13, 2012 implementation date will allow the young people affected by this new policy to make the proper decisions about their education options before the 2012-13 academic year begins.

- **Commit to the broadest and most inclusive interpretation of the “deferred action” requirements.**

It is understood that the Obama Administration is currently working to finalize the details of the requirements that will define who can and cannot be eligible for the deferred action policy. This is a critical time for the City of Minneapolis to weigh in on the decision-making process to ensure that all instructions and requirements be written and interpreted with deference and with the broadest, most inclusive interpretation possible to ensure wide eligibility and participation by the intended DREAMer population.

- The City of Minneapolis also recommends the passage of the federal DREAM Act.

**Department Information**

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Presenters in Committee: David Rubedor, Director, NCR Mariano Espinoza, Access and Outreach Specialist, NCR

**Previous Directive:**

None

**Background:**

On June 15, 2012 Secretary Janet Napolitano instructed the Department of Homeland and Security to exercise prosecutorial discretion against certain young individuals.

Secretary Napolitano sent a Memo stating how the Department of Homeland Security (DHS) should enforce the Nation's immigration laws against certain young people who were brought to this country as children and know only this country as home. As a general matter, these individuals lacked the intent to violate the law and our ongoing review of pending removal cases is already offering administrative closure to many of them.

The Memo states that the following criteria should be satisfied before an individual is considered for an exercise of prosecutorial discretion pursuant to the memorandum:

- Came to the United States under the age of sixteen;
- Has continuously resided in the United States for a least five years preceding the date of this memorandum and is present in the United States on the date of this memorandum;
- Is currently in school, has graduated from high school, has obtained a general education development certificate, or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States;

- Has not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise poses a threat to national security or public safety; and
- Is not above the age of thirty.

In 2010, DREAMers began asking President Barack Obama to stop deporting immigrant youth and separating their families. Following the Congress's failure to pass the DREAM Act, DREAMers regrouped and launched their "End Our Pain" campaign, successfully stopping over 30 deportations and winning review of 145 cases. This campaign included the October 12, 2011 sit-in by five DREAMers inside the Los Angeles office of U.S. Immigration and Customs Enforcement (ICE) to protest the continued deportation of immigrant youth.

Last month, United We Dream (UWD) launched the "RighttoDREAM" campaign with coordinated rallies, marches and protests around the country. Undocumented youth and community allies courageously called on President Obama to use his executive power to provide security of residence to DREAM Act-eligible youth and to stop the separation of immigrant families.

President Obama's announcement brings relief to many DREAMers. It is a step in the right direction after years of work that will allow students to apply their professional degrees and know that they need not fear deportation. They will be able to continue living as Americans in the only country they call home.