



Legislation Text

File #: 2021-0427, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): County Administrator's Office

Staff Name and Phone Number: Marissa Montenegro 707-565-3771

Vote Requirement: Majority

Supervisorial District(s): Countywide

Title:

County Support for Immigration Reform

Recommended Action:

- A) Adopt a resolution in support of immigration reform
- B) Receive a report on recent immigration-related legislative and executive actions

Executive Summary:

Sonoma County is home to a significant number of undocumented immigrants with diverse backgrounds, and varied cultures, religions, abilities and viewpoints. The County recognizes that this diversity contributes to the cultural richness and economic wellness of our communities. However, the legal status of undocumented immigrants poses barriers that create adversities for this valuable part of our community. The County recognizes the difficulties faced by undocumented immigrants and the current lack of available pathways to citizenship for many undocumented immigrants. This item includes a resolution recognizing the need for broad immigration reform and support for legislative efforts such as H.R. 1603 Farm Workforce Modernization Act and H.R. 6 American Dream and Promise Act of 2021.

Discussion:

There are an estimated 40,000 undocumented immigrants in the County of Sonoma (County) with diverse racial, ethnic and national backgrounds, varied cultures, religions, orientations, abilities and viewpoints. The County recognizes that the diversity of backgrounds, perspectives, and experiences of undocumented immigrants contribute to the cultural richness and economic wellness of our nation and communities, and the legal status of undocumented immigrants currently restricts many aspects of their lives, including employment options and access to certain safety net programs. The County is supportive of all residents having the right to pursue a dignified life with meaningful employment opportunities and access to community safety nets including disaster relief aid.

Current immigration law does not provide a clear pathway to citizenship for most undocumented immigrants in this county. Without a path to citizenship, community members continue to be faced with hardships including but not limited to barriers in securing safe and dignified housing and employment, increased vulnerability during times of disaster, lack of access to healthcare, and facing the constant threat of deportation and family separation.

The following is an update on Administrative and Congressional actions on immigration reform:

Since assuming office in 2021, President Biden set an ambitious immigration agenda which committed to reversing harmful policies implemented by the previous administration and to revitalize the US immigration system. Executive Orders and administrative policy changes include the following:

- Executive Order on the Revision of Civil Immigration Enforcement Policies and Priorities - January 20, 2021
- Preserving and Fortifying Deferred Action for Childhood Arrivals (DACA) - January 20, 2021
- Proclamation on the Termination Of Emergency With Respect To The Southern Border Of The United States And Redirection Of Funds Diverted To Border Wall Construction - January 20, 2021
- Executive Order on Ensuring a Lawful and Accurate Enumeration and Apportionment Pursuant to the Decennial Census - January 20, 2021
- US Citizenship Act of 2021
- DHS Statement on the Suspension of New Enrollments in the Migrant Protection Protocols Program - January 20, 2021
- Proclamation on the Suspension of Entry as Immigrants and Non-Immigrants of Certain Additional Persons Who Pose a Risk of Transmitting Coronavirus Disease - January 25, 2021
- Executive Order on Creating a Comprehensive Regional Framework to Address the Causes of Migration, to Manage Migration Throughout North and Central America, and to Provide Safe and Orderly Processing of Asylum Seekers at the United States Border - February 2, 2021
- Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans - February 2, 2021
- Executive Order on the Establishment of Interagency Task Force on the Reunification of Families - February 2, 2021
- Executive Order on Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration - February 4, 2021
- Memorandum for the Secretary of State on the Emergency Presidential Determination on Refugee Admissions for Fiscal Year 2021 - April 16, 2021
- A Proclamation on the Suspension of Entry as Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting Coronavirus Disease 2019 - April 30, 2021
- Memorandum for the Secretary of State on the Emergency Presidential Determination on Refugee Admissions for Fiscal Year 2021 - May 3, 2021

This year, the House of Representatives passed several federal immigration bills to further support for undocumented immigrants.

H.R. 1603, the “Farm Workforce Modernization Act of 2021,”

<https://www.congress.gov/bill/117th-congress/house-bill/1603> contains provisions establishing a “certified agricultural worker (CAW)” status for immigrant agricultural workers and changes the H-2A temporary worker program. The CAW designation will be valid for 5.5 years and may be granted to alien workers who work in the agricultural industry, are at risk of being deported or are under temporary protected status, and have been present in the United States from March 8th, 2021 until receiving CAW status. H.R. 1603 also changes the H-2A temporary worker program by creating an electronic platform for various H-2A petitions, processing of cases, and for increasing the accessibility of case information. The bill also modifies the method for calculating H-2A

worker minimum wage and work requirements. It also establishes a pilot program for H-2A workers to apply for portable status and gives workers the ability to find new employment with registered H-2A employers.

H.R. 6, the “American Dream and Promise Act of 2021,”

<https://www.congress.gov/bill/117th-congress/house-bill/6> provides conditional permanent resident status for 10 years to an immigrant that entered the US as a minor, is at risk of deportation, has deferred enforced departure status or temporary protected status, or is the child of certain classes of nonimmigrants. It allows the Department of Homeland Security to remove the conditions placed on permanent resident status granted under this bill if the applying immigrant completes certain educational programs, serves in the military, or is employed. The bill also states that DHS and the Department of Justice will cancel the removal of certain immigrants that have temporary protected status, are eligible for temporary status, or were eligible for deferred enforced departure on certain dates. These immigrants will then be eligible to receive permanent resident status after meeting certain immigration requirements.

Both H.R. 1603 and H.R. 6 passed in the House of Representatives on March 18th, 2021 and are currently under consideration by the Senate Committee on the Judiciary Committee. The Committee has held three hearings on these pieces of legislation, the May 12th hearing entitled *The Essential Role of Immigrant Workers in America*, the June 15th Full Committee Hearing on the *American Dream and Promise Act of 2021*, and the July 21st Full Committee Hearing entitled *Immigrant Farmworkers are Essential to Feeding America*.

- May 12th hearing
<https://www.judiciary.senate.gov/meetings/the-essential-role-of-immigrant-workers-in-america>,
- June 15th hearing
<https://www.judiciary.senate.gov/meetings/hr6-american-dream-and-promise-act-of-2021>
- July 21st hearing
<https://www.judiciary.senate.gov/meetings/immigrant-farmworkers-are-essential-to-feeding-america>.

H.R. 1603 and H.R. 6 will provide a pathway to citizenship for Dreamers in addition to supporting Temporary Protected Status people, farm workers and other essential immigrant workers who have supported communities throughout this pandemic. This legislation will provide a pathway to lawful permanent resident (LPR) status for Dreamers, recipients of Temporary Protected Status (TPS), farmworkers, and essential workers to continue to support our economy.

The House and Senate Judiciary Committees will begin working on their measures to be included in the Reconciliation measure that will be taken up in the latter half of September.

The County of Sonoma formally supported these initiatives through letters of support to Senators Feinstein and Padilla and letters are attached.

The Governor and state legislature have also taken up several actions to support immigrant rights. Through the May Revision, Governor Newsom included vital investments supporting immigrant communities not included in prior pandemic relief. Final budget allocations are currently being approved through the legislative process.

Staff are monitoring the following bills in addition to budget bills regarding state immigration policies:

AB-937 Immigration enforcement

This bill eliminates the existing ability under the Values Act for law enforcement agencies to cooperate with federal immigration authorities by giving them notification of release for inmates or facilitating inmate transfers and to prohibit all state and local agencies from assisting, in any manner, the detention, deportation, interrogation, of an individual by immigration enforcement.

AB-47 Human services: coordinated immigration support services

This bill requires the State Department of Social Services to establish a grant program that provides grants to qualified nonprofit organizations, as defined, for the provision of coordinated immigration support services in California to undocumented and mixed-status families who reside in the state and were separated by the federal government.

Sonoma County Immigration Initiative

In 2017, in response to the previous administrations immigration policies, your Board approved an immigration initiative to address impacts on the immigrant community and provided resources to meet the legal service needs of undocumented residents. The County also launched a “know your rights” campaign to provide legally accurate material to residents. Material was shared online and through several community meetings hosted by Board members.

In 2018, the Sonoma County Board of Supervisors established the Sonoma County Secure Families Collaborative to meet the needs of our community’s increased challenges due to the changes in federal immigration policy and the North Bay wildfires. The purpose of the Collaborative is to increase the capacity of local immigration legal service organizations for immigrants in Sonoma County by enhancing their legal safety net, ensuring that families are safe and remain together, and enhancing the culturally-responsive provision of vital social and mental health services, while simultaneously promoting a sustainable model that can be exported to other communities.

Since its inception in November 2018, the Sonoma County Secure Families Collaborative has assisted 512 of Sonoma County’s most vulnerable immigrants by providing quality legal services, mental health access, benefit enrollment assistance, and other social services. The Collaborative has been successful, with a 97% success rate of all cases.

The Collaborative is the only non-profit in Sonoma County that provides pro bono removal defense for Sonoma County immigrants. In Sonoma County alone, there are an estimated 83,300 immigrants, 40,000 undocumented people, and 120,000 residents that have an immediate family or household member that is without legal status.

The County recognizes the difficulties faced by undocumented immigrants and the current lack of available pathways to citizenship for most undocumented immigrants. The resolution before your Board recognizes the many contributions and cultural richness that diversity brings to communities and memorializes the need for broad immigration reform and the County’s continued support of federal legislative efforts such as H.R. 1603 Farm Workforce Modernization Act and H.R. 6 American Dream and Promise Act of 2021.

Prior Board Actions:

5.23.2017 Sonoma County Immigration Initiative Update

2.21.2017 County Immigration Initiative Legislative Update and Timeline

FISCAL SUMMARY

Expenditures	FY 20-21 Adopted	FY21-22 Projected	FY 22-23 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

None.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Resolution

Letters of Support

Related Items "On File" with the Clerk of the Board: