

MOTION BY SUPERVISORS HILDA L. SOLIS AND  
SHEILA KUEHL

October 19, 2021

**Renewing Our Commitment to DREAMers: DACA Proposed Rulemaking**

Since its creation in 2012, the Deferred Action for Childhood Arrivals (DACA) program has protected more than 825,000 individuals from deportation, including tens of thousands of immigrants in Los Angeles County. On September 5, 2017, the former Trump administration issued a memorandum attempting to rescind the DACA program. Recognizing the countless contributions that DACA program recipients have made to their communities, on September 12, 2017, this Board of Supervisors (Board) directed County Counsel to file or join amicus briefs in any litigation aimed at protecting DACA program recipients. In June 2020, the United States Supreme Court concluded that the Trump administration's attempt to rescind DACA was unlawful.

On January 20, 2021, President Biden directed the Department of Homeland Security (DHS), in consultation with the Attorney General, to take all appropriate actions to preserve and fortify DACA. However, on July 16, 2021, a federal district court in Texas held that the DACA policy is illegal and permanently prohibited DHS from "administering the DACA program and from reimplementing DACA without compliance

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with” the Administrative Procedure Act. Although the district court's decision did not impact most individuals granted deferred action under DACA on or before July 16, 2021, it immediately halted DHS’s ability to accept new DACA applicants, once again disrupting the lives of hundreds of thousands of DREAMers. The Biden administration has appealed the district court’s ruling, and that appeal remains pending.

In response to the district court's ruling, the Biden Administration also issued a notice of proposed rulemaking on September 28, 2021, entitled "Deferred Action for Childhood Arrivals" (DHS Docket No. USCIS-2021-0006; RIN: 1615-AC64), which seeks to preserve and fortify DHS’s DACA policy. In light of these new developments, the County of Los Angeles must renew and reaffirm its commitment to our DREAMers, who have contributed tremendously to our County, particularly during the COVID-19 pandemic.

**WE, THEREFORE, MOVE** that the Board of Supervisors direct County Counsel to submit a comment on behalf of the County supporting the proposed rule aimed at protecting the DACA program in accordance with the official public comment process outlined by DHS.

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