
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 491 Session of
2017

INTRODUCED BY CRUZ, VAZQUEZ, SCHWEYER, YOUNGBLOOD, SCHLOSSBERG,
SOLOMON, J. HARRIS, FRANKEL, STURLA, V. BROWN, McCARTER,
DEAN, GAINNEY, ROZZI, CALTAGIRONE, DONATUCCI AND ROEBUCK,
SEPTEMBER 12, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 12, 2017

A RESOLUTION

1 Condemning the decision by the Trump Administration to end the
2 Deferred Action for Childhood Arrivals (DACA) Program and
3 urging the Congress of the United States to act by passing
4 the Dream Act of 2017.

5 WHEREAS, Clause 4 of section 8 of Article I of the
6 Constitution of the United States expressly provides the
7 Congress of the United States with the power to establish a
8 uniform Rule of Naturalization; and

9 WHEREAS, Since the first naturalization act was enacted in
10 1790, dozens of immigration and naturalization laws have been
11 enacted by Congress; and

12 WHEREAS, The Immigration Reform and Control Act (IRCA) of
13 1986 (Public Law 99-603, 100 Stat. 3359), signed into law by
14 President Ronald Reagan, was the first comprehensive immigration
15 and naturalization law enacted by Congress to deter and control
16 illegal immigration; and

17 WHEREAS, As part of IRCA, 2.7 million immigrants were awarded
18 green cards after meeting certain criteria in the largest alien

1 legalization program in United States history; and

2 WHEREAS, In response to failed congressional efforts to pass
3 legislation to protect immediate family members who did not meet
4 the criteria for amnesty, President Reagan's Immigration and
5 Naturalization Service (INS) commissioner announced in 1987 that
6 minor children of parents granted amnesty by IRCA would be
7 protected from deportation; and

8 WHEREAS, When legislation to broaden legal status passed the
9 United States Senate but stalled in the House in 1989, President
10 H.W. Bush advanced a "family fairness" policy through the INS to
11 protect immediate family members from deportation; and

12 WHEREAS, Through the "family fairness" policy and by signing
13 the Immigration Act of 1990 (Public Law 101-649, Stat. 4978),
14 President H.W. Bush protected approximately 1.5 million, or 40%,
15 of illegal immigrants living in the United States; and

16 WHEREAS, Other than a couple of immigration statutes focused
17 on enforcement enacted by Congress since the Immigration Act of
18 1990, including the Illegal Immigration Reform and Immigrant
19 Responsibility Act of 1996 (Division C of the act of September
20 30, 1996, Public Law 104-208, 110 Stat. 3009-546), no major
21 immigration reform legislation has been enacted in almost 30
22 years; and

23 WHEREAS, Since 2001, some form of the Development, Relief,
24 and Education for Alien Minors (DREAM) Act, which would create a
25 multiphase process for qualifying immigrant minors that would
26 first grant conditional then permanent residency upon meeting
27 specific qualifications, has been introduced in Congress; and

28 WHEREAS, In June 2012, President Barack Obama announced an
29 immigration policy change, known as the Deferred Action for
30 Childhood Arrivals (DACA) as a compromise between the Obama

1 Administration and Congress after the DREAM Act of 2011 failed;
2 and

3 WHEREAS, DACA allowed the Department of Homeland Security to
4 exercise prosecutorial discretion on immigration cases regarding
5 the deportation of individuals who were brought to the United
6 States illegally as children; and

7 WHEREAS, The criteria for the individuals, known as
8 "Dreamers," to qualify for DACA was similar to the DREAM Act and
9 included being an immigrant who, in 2012, was between 16 and 30
10 years of age, came to the United States as a child, had no
11 criminal record and had lived continuously in the country for at
12 least the past five years; and

13 WHEREAS, If Dreamers met the criteria under DACA, applied for
14 deferred action and underwent a background check and
15 fingerprinting, then a two-year authorization was granted during
16 which the Department of Homeland Security would exercise its
17 prosecutorial discretion and not deport them; and

18 WHEREAS, Unlike the DREAM Act, DACA did not confer legal
19 status to any immigrant, because only Congress, through its
20 legislative authority, can constitutionally do so; and

21 WHEREAS, Since DACA has been implemented, almost 800,000
22 individuals have applied and been approved for deferred action,
23 including nearly 6,000 Pennsylvanians; and

24 WHEREAS, More than three-quarters of DACA applicants are from
25 Mexico, with the remaining from El Salvador, Guatemala,
26 Honduras, Peru, Brazil, South Korea and the Philippines; and

27 WHEREAS, On September 5, 2017, The Trump Administration
28 announced the end of the DACA program by March 5, 2018, and
29 called on Congress to pass comprehensive immigration reform; and

30 WHEREAS, Ending DACA and deporting Dreamers, while within

1 Executive power, is not legally required, but is a political
2 maneuver that will not help the United States economy, lower
3 unemployment rates, lessen tax burdens or raise wages; and

4 WHEREAS, The Commonwealth of Pennsylvania has joined 14 other
5 states and the District of Columbia in a lawsuit against the
6 Trump Administration to block the DACA termination on the
7 grounds that the administration violated the Constitution's due
8 process and equal protection clauses; and

9 WHEREAS, Deporting current DACA beneficiaries would deprive
10 the United States of more than \$60 billion in tax revenue and
11 \$280 billion of economic growth over the next 10 years; and

12 WHEREAS, In the Commonwealth of Pennsylvania alone, 87% of
13 the nearly 6,000 DACA beneficiaries are employed and generate
14 more than \$20 million in State and local taxes; and

15 WHEREAS, The Dreamers covered by DACA are in the United
16 States through no fault of their own and pose no threat to the
17 citizens of this country; and

18 WHEREAS, Ending DACA without a replacement program is
19 detrimental to the almost 800,000 individuals who will be
20 adversely affected and is generally a poor policy decision; and

21 WHEREAS, If Congress does not act and DACA begins to expire,
22 nearly 300,000 people will begin to lose deferred status in 2018
23 and more than 320,000 would lose the status in 2019; and

24 WHEREAS, Several immigration reform bills, introduced by both
25 Democrats and Republicans, and pending action in Congress should
26 immediately be considered; and

27 WHEREAS, Legislation introduced has bipartisan support and
28 includes, the Recognizing America's Children (RAC) Act (H.R.
29 1468) sponsored by Congressman Carlos Curbelo, R-FL, the
30 American Hope Act of 2017 (H.R. 3591) sponsored by Congressman

1 Luis Gutierrez, D-IL, the Bar Removal of Individual who Dream
2 and Grow our Economy (BRIDGE) Act (H.R. 496) sponsored by
3 Congressman Mike Coffman, R-CO, and the DREAM Act of 2017 (S.
4 1615) sponsored by Senator Lindsey Graham, R-SC; and

5 WHEREAS, The Dream Act of 2017 is similar to previous
6 introductions of the Dream Act, has many of the protections DACA
7 had in place and creates a path for citizenship or permanent
8 legal resident status; therefore be it

9 RESOLVED, That the House of Representatives of the
10 Commonwealth of Pennsylvania condemn the decision by the Trump
11 Administration to end the Deferred Action for Childhood Arrivals
12 (DACA) Program; and be it further

13 RESOLVED, That the House of Representatives of the
14 Commonwealth of Pennsylvania urge the Congress of the United
15 States to act by passing the Dream Act of 2017 (S. 1615)
16 sponsored by Senator Lindsey Graham, R-SC; and be it further

17 RESOLVED, That copies of this resolution be sent to the
18 President of the United States, to the presiding officers of
19 each house of Congress and to each member of Congress from
20 Pennsylvania.