

**RESOLUTION URGING CONGRESS TO
ADDRESS CITIZEN CHILDREN OF
UNDOCUMENTED PARENTS**

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Gene Davis

Ed P. Mayne

David L. Gladwell

LONG TITLE

General Description:

This joint resolution of the Legislature urges the United States Congress to review and modify current immigration laws pertaining to United States Citizen children of undocumented parents.

Highlighted Provisions:

This resolution:

- ▶ urges the United States Congress to review and modify United States Immigration law to minimize the circumstances under which United States Citizen children can be separated from their undocumented parents.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah:

WHEREAS, current federal law recognizes a child of undocumented parents that is born in the United States as an American Citizen;

WHEREAS, if undocumented parents do not qualify to remain in the United States, they face deportation and separation from their United States Citizen children, who often live with a relative or become a ward of the state;

WHEREAS, deportation can only be avoided if the undocumented parents can establish that their child's physical, mental, or emotional condition is such that separation from the

parents would cause significant damage to the child, a high standard that is rarely met;

WHEREAS, United States Citizen children who choose not to be separated from their parents must leave the United States with their parents;

WHEREAS, in many cases, undocumented families have been in the United States for many years and have paid taxes;

WHEREAS, the United States Congress should review the current immigration laws to determine how family separations and other tragedies linked to undocumented parents can be reduced;

WHEREAS, federal immigration law already provides that any undocumented parent that has committed an aggravated felony under a federal law does not qualify for the immigration adjustment;

WHEREAS, federal law also requires that an undocumented parent be of good moral character;

WHEREAS, immigration law should provide guidance in the best interest for United States Citizen children; and

WHEREAS, these steps would address the best interest of the child by making it possible for families to stay together:

NOW, THEREFORE, BE IT RESOLVED that Legislature of the state of Utah urges the United States Congress to review and modify United States Immigration law so as to minimize the circumstances under which United States Citizen children are separated from their undocumented parents.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.