



Kriss Worthington
Councilmember, City of Berkeley, District 7
2180 Milvia Street, 5th Floor, Berkeley, CA 94704
PHONE 510-981-7170 FAX 510-981-7177 kworthington@ci.berkeley.ca.us

CONSENT CALENDAR
October 16, 2012

To: Honorable Mayor and Members of the City Council
From: Councilmember Kriss Worthington

Subject: Letter to Homeland Security Regarding Permanent Residency for
Temporary Protection Status Individuals

RECOMMENDATION

Send a letter to Department of Homeland Security Secretary Janet Napolitano in favor of granting permanent residency to Temporary Protection Status individuals.

BACKGROUND

The Secretary of Homeland Security may designate a foreign country for temporary protection status (TPS) due to conditions in the country that temporarily prevent the country’s nationals from returning safely, or in certain circumstance where the country is unable to handle the return of its nationals adequately. TPS may be designated to a country due to ongoing armed conflict, environmental disaster, or other temporary and extraordinary conditions. U.S. Citizenship and Immigration Services (USCIS) may grant TPS to eligible nationals who are already in the United States. The status is valid for 18 months, and must be renewed to receive an extension. Beneficiaries are not removable from the United States and can obtain employment authorization, however TPS is a temporary benefit that does not lead to lawful permanent residency or give other immigration status.

Approximately 270,000 Salvadorans, Hondurans, and Nicaraguans have had this status for more than a decade. They live and work in the United States, pay taxes, own homes and business, and have established deep roots in this country, but continue to have unstable and temporary status, fearing removal if their TPS status is not renewed. With their current status they live in a state of limbo, facing the high costs of re-registration every 18 months, unable to travel to see their families in their home countries, and limited in educational and employment opportunities. These people deserve the opportunity to become lawful permanent residents, allowing them to become fully participating members of society.

FINANCIAL IMPLICATIONS

None.

CONTACT PERSON

Councilmember Kriss Worthington 510-981-7170

Attachment:

1. Letter to Secretary Janet Napolitano, Department of Homeland Security.

Secretary Janet Napolitano
Department of Homeland Security
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Napolitano,

The Berkeley City Council supports legislation that will stabilize the immigration status of approximately 270,000 individuals who have been living and working in the U.S. lawfully for over a decade, but continue to have temporary and unstable status. We believe they are exemplary immigrants and deserve the opportunity to become permanent residents and fully integrate into our society.

After having legally lived and worked here for over a decade, having paid fees to the government to maintain their status, paid taxes, demonstrated to be persons of good moral character by undergoing background checks every time they renewed their status, having done everything else required by the law and, most importantly, having come forward and registered into a conditional program when the U.S. government gave the opportunity to those undocumented to do so, we believe they have earned the opportunity to become lawful permanent residents.

Although this conditional program offered relief at a time of uncertainty, its temporary nature places people in an indefinite limbo, limits their full integration into U.S. society and hinders their families' stability. Over the past decade they have established deep roots in this country and have strengthened our communities. They are hard workers, who pay their taxes and make important economic contributions to this nation. They own homes and have opened businesses in the United States. They are service industry and construction workers, community leaders, activists, and outstanding students, with the desire to continue contributing to the United States of America and ensure a thriving future for their families and communities. They support their families both here and in their countries of origin through remittances. They are spouses and parents of U.S. citizens and every day they fear separation from their family if the program were to end. Finally, their families in their countries of origin have not seen them in over a decade because they are unable to leave the country.

The City Council is grateful for the contributions of these lawful and productive members of our society for more than 10 years. We urge Congress to support legislation that will allow them to keep contributing to this great nation by resolving their unpredictable future and allowing them to remain in the U.S. as permanent residents. We look forward to working with you to make this initiative a reality.

Sincerely,

The Berkeley City Council