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SJR-16 Federal Temporary Protected Status. (2017-2018)

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Senate Joint Resolution No. 16

CHAPTER 113

Relative to federal Temporary Protected Status.

[Filed with Secretary of State June 29, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SJR 16, Wilk. Federal Temporary Protected Status.

This measure would condemn the decision to end the Temporary Protected Status designation for El Salvador, Haiti, Nicaragua, Honduras, and Sudan. The measure would also urge the United States Congress to enact a bipartisan permanent solution for Salvadorans, Haitians, Nicaraguans, Hondurans, and Sudanese with Temporary Protected Status.

Fiscal Committee: no

WHEREAS, Temporary Protected Status (TPS) was established by the United States Congress through the Immigration Act of 1990, and is a temporary, renewable program that provides relief from deportation and access to a work permit for foreign nationals from certain countries who are unable to safely return to their home countries due to natural disasters, armed conflicts, or other extraordinary conditions; and

WHEREAS, The TPS program provides compassion, generosity, and human rights to law abiding immigrants; and

WHEREAS, The TPS designation for El Salvador was terminated by the Trump administration, effective September 9, 2019; and

WHEREAS, The TPS designation for Nicaragua was terminated by the Trump administration, effective January 5, 2019; and

WHEREAS, The TPS designation for Haiti was terminated by the Trump administration, effective July 22, 2019; and

WHEREAS, The TPS designation for Sudan was terminated by the Trump administration, effective November 2, 2018; and

WHEREAS, The current TPS designation for Honduras expires on July 5, 2018; and

WHEREAS, These humanitarian programs have enabled 413,390 immigrants to live, work, and raise families in the United States, in some cases for over two decades; and

WHEREAS, Data collected from a nationwide survey of immigrants holding TPS found that TPS has contributed positively to the socioeconomic integration of these immigrants, benefiting them, their families, and United States society in general; and

WHEREAS, TPS holders have significantly high levels of labor force participation: 94 percent of men and 82.1 percent of women are working, with 83.3 percent of men and 54.9 percent of women working more than 40 hours per week, and 7.6 percent of men

and 10.0 percent of women working more than one job. About one-tenth of survey respondents were self-employed (men 13.4 percent, women 7.8 percent); and

WHEREAS, Among survey respondents, 33.6 percent of men and 29.9 percent of women live in owner-occupied homes; and

WHEREAS, The percentage of the survey respondents who in that nationwide survey volunteered in civic organizations, committees, or community groups in the 12 months prior to the survey is 29.7 percent, showing high levels of social integration. Also, 20.2 percent of survey respondents engaged in activities to benefit their community, including donating blood, cleaning streets, and other similar activities; and

WHEREAS, The percentage of survey respondents who pay income taxes is 80.3 percent, including 79.3 percent of those who are self-employed. They have contributed to social security for an average of 15.4 years and 90 percent file taxes every year; and

WHEREAS, United States citizen children whose American families are a part of the TPS program should not be torn apart by the end of this program and by the potential deportation of their parents; and

WHEREAS, Immigrants with disqualifying criminal backgrounds are not eligible for TPS relief and the United States Department of Homeland Security should work to ensure that no one with such a background is granted TPS if the programs are renewed; and

WHEREAS, TPS holders have already fulfilled many of the requirements for lawful permanent residence and the overwhelming majority hold at least one job, pay taxes and pay for their own insurance, have clean criminal records as these checks are required with every renewal, and have demonstrated that they have the will to belong and to become full members of society through home ownership and raising children in the United States. Many TPS holders also have continued to advance educationally; and

WHEREAS, Only the Congress of the United States can legislate a permanent solution to address the lawful immigration status for those protected by TPS; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature condemns the decision to end the Temporary Protected Status designation for the people of El Salvador, Honduras, Haiti, Nicaragua, and Sudan; and be it further

RESOLVED, That the Legislature urges the Congress of the United States to extend the federal Temporary Protected Status for the people of El Salvador, Honduras, Haiti, Nicaragua, and Sudan; and be it further

Resolved, That the Legislature urges the Congress of the United States to take the remainder of the time before the effective date of termination of each federal Temporary Protected Status program to enact a bipartisan, permanent solution for establishing the permanent legal status for Salvadorans, Haitians, Nicaraguans, Hondurans, and Sudanese with Temporary Protected Status who were granted Temporary Protected Status and have lived and worked in the United States for many years; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.