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City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 87097 C.M.S.

INTRODUCED BY COUNCILMEMBERS DESLEY BROOKS AND ABEL GUILLEN

**RESOLUTION CALLING ON THE FEDERAL GOVERNMENT TO
EXTEND TEMPORARY PROTECTED STATUS (TPS) FOR ALL
NATIONS CURRENTLY UNDER THE PROGRAM, AND TO ESTABLISH
A PATHWAY TO PERMANENT RESIDENCY FOR CURRENT
BENEFICIARIES**

WHEREAS, Temporary Protected Status, or TPS, is a temporary, renewable program that provides relief from deportation and access to a work permit for certain migrants in a small number of countries who may not meet the legal definition of refugee but who cannot safely return to their country of origin; and

WHEREAS, Under current law, the Homeland Security Secretary may designate a country for TPS when one of three circumstances occurs: There is "ongoing armed conflict" that creates unsafe conditions for returning nationals; There has been an earthquake, flood, drought, epidemic, or other natural disaster that makes the state temporarily unable to accept the return of its nationals, and the state has requested TPS designation; or "Extraordinary and temporary" conditions in a state prevent its nationals from returning safely; and

WHEREAS, The TPS provision in the Immigration and Nationality Act (INA) states that a bill or amendment that provides for the adjustment to lawful temporary or legal permanent resident (LPR) status for any migrant receiving TPS requires a supermajority vote in the Senate (i.e., three-fifths of all Senators) voting affirmatively. Provisions that would have allowed nationals from various countries that have had TPS to adjust to LPR status had been introduced in past Congresses, but not enacted; and

WHEREAS, On January 25, 2017 President Trump signed Executive Order 13768, Enhancing Public Safety in the Interior of the United States, which was later implemented through a memorandum signed by the DHS Secretary on February 20, 2017. These executive actions dramatically increased the universe of immigrants subject to deportation, eliminating the Obama Administration's enforcement priorities and essentially making all immigrants subject to deportation. Consequently, more than three hundred thousand (300,000) TPS holders –El Salvador, Haiti and Honduras with the highest number of beneficiaries, are currently protected from deportation. Upon termination of TPS, these individuals will not only become subject to deportation, but will

be at serious risk because DHS has extensive and updated records on their places of residence and work, due to the frequent re-registration requirements of the program; and

WHEREAS, sixteen Senators, including Senator Kamala Harris, wrote a letter to Secretary of State Rex Tillerson and Secretary of Homeland Security John Kelly urging the United States Department of State, and United States Department of Homeland Security to extend Temporary Protected Status for individuals from ten TPS-Designated Countries; and

WHEREAS, TPS beneficiaries and their families have deep ties to Oakland, the Bay Area and other communities across the nation, where they have started businesses, built community, bought homes and positively contributed to the social, cultural and economic fabric of cities and this nation; and

WHEREAS, an end to TPS would harm not only three hundred and fifty thousand (350,000) beneficiaries, but also a far greater number of family members; and

WHEREAS, an end to TPS would harm the San Francisco Bay Area, State (California has the highest number of beneficiaries) and National economy with a projected \$45 billion reduction to the national GDP, \$6.9 billion in lost social security and Medicare contributions over a decade, \$1 billion in Turnover costs to businesses, and a projected \$3.1 billion to deport all TPS holders; and

WHEREAS, conditions in designated TPS countries remain dangerous and unsafe, such that deportation to these nations not only separate families, but place individuals and their families at grave risk; and

WHEREAS, an end to TPS would harm Oakland and the Bay Area by throwing the lives of long-term city residents into chaos, separating parents from their children, impacting local small businesses and ultimately damaging the social and economic fabric of our city, and undermining our local values of inclusion and protection for All; now, therefore, be it

RESOLVED: That the City Council of Oakland demand that the Federal Government extend TPS by no less than eighteen months (18 months) for all designated countries and support a path to permanent residency; and be it

FURTHER RESOLVED: That the Council of the City of Oakland will urge our State Senators to champion the extension of TPS for no less than eighteen months (18 months) for all designated countries and introduce legislation that will result in a path to permanent residency; and be it

FURTHER RESOLVED: That the City Council of Oakland demand that both the Executive Branch and Legislative Branch of the Federal Government work together to legislate a pathway to permanent residency for TPS beneficiaries, some of whom have been protected under the program for close to two decades; and be it

FURTHER RESOLVED: That the City Council of Oakland affirm and recognize the countless economic, cultural and social contributions immigrants make to our city every day; and be it

FURTHER RESOLVED: That the City Council of Oakland will continue to affirm our city values of inclusion, diversity and human rights; and

NOW, THEREFORE BE IT RESOLVED: That the Council will direct the City Administrator to send a copy of this resolution to Representative Barbara Lee and Senators Kamala Harris and Dianne Feinstein.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 20 2018

PASSED BY THE FOLLOWING VOTE:

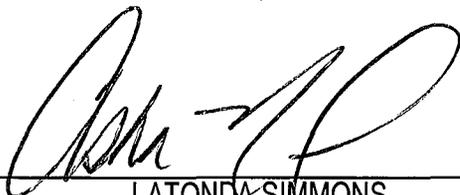
AYES –BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB,
KAPLAN AND PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California