



Legislation Text

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Res. No. 7

Resolution calling on the United States Congress to pass a law allowing Temporary Protected Status holders residing in the United States to apply for Deferred Action for Childhood Arrivals.

By Council Members Eugene, Chin, Dromm, Levin, Palma, Williams and Mendez

Whereas, In June 2012 the Obama Administration created a remedy for immigrant youth who were brought to the U.S. as children, entitled “Deferred Action for Childhood Arrivals” (“DACA”), which grants a temporary form of immigration relief to individuals who meet certain criteria; and

Whereas, According to the United States Citizenship and Immigration Services (“USCIS”), those eligible for DACA relief must: (i) be under the age of 31; (ii) have come to the U.S. before becoming 16 years old; (iii) have continuously resided in the United States since June 15, 2007; (iv) be currently enrolled in school or have graduated from high school or obtained a General Equivalency Diploma; and (v) have had their lawful immigration status expire as of June 15, 2012; and

Whereas, At the start of the program nearly 900,000 individuals were estimated to be immediately eligible for DACA; and

Whereas, According to a Brookings Institution article entitled, “Immigration Facts: Deferred Action for Childhood Arrivals,” as of June 2013, more than half a million individuals have applied for DACA and 72 percent have been approved, one percent have been denied, with the majority of the remaining applications still under review; and

Whereas, Immigrant youth that have Temporary Protected Status (“TPS”) are not eligible to apply for DACA; and

Whereas, TPS is a temporary immigration status granted to eligible nationals of designated countries

who are momentarily unable to securely return to their home countries due to ongoing armed conflict, temporary effects of an environmental disaster, or other extraordinary and temporary conditions, and such immigrants may not be removed from the United States during the period in which such status is in effect; and

Whereas, Currently there are nearly 300,000 TPS beneficiaries nationally, many of whom reside in New York City; and

Whereas, According to the USCIS, currently eight countries, El Salvador, Haiti, Honduras, Nicaragua, Somalia, Sudan, South Sudan, and Syria have been granted TPS; and

Whereas, Many TPS beneficiaries make invaluable contributions to the economy by working, owning homes, paying taxes, and raising families in New York City and beyond; and

Whereas, Currently the advantages of being a TPS beneficiary include not being able to be removed from the United States, being able to obtain an employment authorization document, and potentially being granted travel authorization; and

Whereas, The important advantages of DACA approved applications include two years' protection from deportation as well as the authorization to work in the United States, with some states even allowing eligible individuals to apply for a driver's license and obtain in-state tuition at public colleges and universities; and

Whereas, DACA recipients that have been surveyed have experienced a pronounced increase in economic opportunities, such as getting a new job, opening their first bank account, and obtaining their first credit card; and

Whereas, If eligible for DACA, TPS members can benefit from having more opportunities for economic and social incorporation that DACA recipients currently have; and

Whereas, Even if TPS beneficiaries were to live and work legally in the United States for many years, TPS does not provide a pathway to citizenship; and

Whereas, However, if a comprehensive immigration reform bill would pass it could provide a pathway

for the approximately 11 million undocumented immigrants residing in the United States; and

Whereas, Immigration reform could provide children brought to the United States illegally, through no fault of their own, an expedited opportunity to earn their citizenship; and

Whereas, According to advocates, if a comprehensive immigration reform bill were to pass, it could provide a pathway to citizenship for DACA, but not for TPS beneficiaries since they are not eligible to apply for DACA; now, therefore, be it

Resolved, That the City Council of New York calls on the United States Congress to pass a law allowing Temporary Protected Status holders residing in the United States to apply for Deferred Action for Childhood Arrivals.

JSM
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