



## Legislation Text

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### Res. No. 1103

Resolution calling upon the Secretary of the Department of Homeland Security to designate Ecuador for Temporary Protected Status to provide temporary immigration relief to eligible Ecuadorian nationals in the wake of a devastating earthquake.

By Council Members Ferreras-Copeland, The Speaker (Council Member Mark-Viverito), Menchaca, Dromm, Espinal, Eugene, Koo, Reynoso, Richards, Chin, Levin, Gibson, Salamanca, Rosenthal and Cohen

Whereas, Temporary Protected Status (TPS) is a temporary immigration status granted to eligible nationals of TPS designated countries; and

Whereas, During the temporary designation period, eligible nationals may remain in the United States and may not be detained by the Department of Homeland Security (DHS) based solely on immigration status, and may obtain employment and travel authorization; and

Whereas, The Secretary of DHS has the authority to provide TPS to immigrants present in the United States who are unable to safely return to their home country due to an ongoing armed conflict, an environmental disaster, or other extraordinary and temporary conditions that prevent safe return; and

Whereas, An individual is only eligible for TPS benefits if he or she: (i) establishes continuous physical presence in the United States since the date specified by DHS; (ii) is not subject to one of the criminal, security-related or other bars to TPS; and (iii) applies for TPS benefits in a timely manner; and

Whereas, The United States Citizenship and Immigration Services, an agency within DHS, is responsible for administering the TPS program; and

Whereas, A country's TPS designation takes effect on the date the designation is published and may last between six and 18 months, with the possibility of an extension; and

Whereas, Once the Secretary of DHS terminates a TPS designation, TPS beneficiaries revert to the same immigration status they had prior to TPS or to any other status they may have acquired while registered for TPS; and

Whereas, On April 16, 2016, Ecuador experienced a devastating 7.8 magnitude earthquake which led to 660 deaths, injured over 16,000 individuals and displaced over 28,000 individuals; and

Whereas, the United Nations' Office for the Coordination of Humanitarian Affairs (OCHA) announced that nearly 7,000 buildings have been destroyed and 560 schools have been affected, 166 of which suffered medium to severe damage; and

Whereas, It is estimated that, in total, over 24,000 buildings and homes were damaged and, according to Ecuadorian President Rafael Correa, reconstruction efforts could cost close to \$3 billion; and

Whereas, The country suffered at least 23 subsequent earthquakes and aftershocks of different magnitudes causing major complications in the recovery efforts; and

Whereas, Given this widespread devastation Ecuador fully meets the criteria of a country eligible for TPS; and

Whereas, According to the Pew Research Center, as of 2013, there were roughly 417,000 Ecuadorian-born individuals living in the United States as U.S. Citizens, Lawful Permanent Residents, and visa holders; and

Whereas, The Migration Policy Institute reports that there were roughly 146,000 undocumented Ecuadorians in the United States as of 2013, a number that government officials believe has grown to more than 200,000 individuals; and

Whereas, New York City is home to one of the largest Ecuadorian populations in the nation with over 140,000 Ecuadorian residents; and

Whereas, According to the Migration Policy Institute, approximately 65,000 undocumented Ecuadorians, roughly 44% of the total undocumented Ecuadorian population in the United States, resided in the state of New York as of 2013; and

Whereas, If Ecuadorians are granted TPS, in addition to obtaining temporary authorization to live and work lawfully in the United States, those living in New York City would also be eligible for in-state tuition rates at schools in the CUNY system; and

Whereas, In May 2016, Ecuadorian President Rafael Correa formally requested TPS designation for Ecuador on account of significant pressure to do so by Ecuadorian nationals residing in the United States; and

Whereas, The United States has donated nearly \$3 million of humanitarian aid toward relief efforts; and

Whereas, Granting TPS to Ecuadorians living in the United States would further demonstrate the United States' support for Ecuador; and

Whereas, Many elected officials such as U.S. Representative Luis V. Gutierrez, New York Senators Charles Schumer and Kirsten Gillibrand, and New York City Mayor Bill de Blasio have called upon President Obama to designate Ecuador as a country whose nationals are eligible for TPS because of the extraordinary and temporary conditions that prevented Ecuadorians from returning safely to their homes; now, therefore be it,

Resolved, That the Council of the City of New York calls upon the Secretary of the Department of Homeland Security to designate Ecuador for Temporary Protected Status to provide temporary immigration relief to eligible Ecuadorian nationals in the wake of a devastating earthquake.

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