

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: April 01, 2014

TO: Honorable Members of the City Council

FROM: Gerry F. Miller *VEL for*
Chief Legislative Analyst

Council File No: 14-0002-S33
Assignment No: 14-03-0214

SUBJECT: Resolution (O'Farrell-LaBonge) to SUPPORT legislation to grant Temporary Protected Status to Filipino nationals.

CLA RECOMMENDATION: Adopt the attached revised Resolution to include in the City's 2013-2014 Federal Legislative Program, SUPPORT for H.R. 3602 (Green), The Filipino Temporary Protected Status Act of 2013, and/or any other similar legislation or administrative action to designate the Philippines under section 244 of the Immigration and Nationality Act to permit nationals of the Philippines to be eligible for temporary protected status in the United States.

SUMMARY

Resolution (O'Farrell-LaBonge) states that on November 8, 2013, Typhoon Haiyan, struck the Philippines, displacing more than four million people, killing approximately 6,000 people, and affecting sixteen million people. The Resolution states that Council on December 10, 2013, adopted Resolution (O'Farrell-Fuentes) to support visa extensions to Filipino immigrants legally living in the U.S. to continue to work and attend school as their country recovered.

The Resolution indicates the Philippine government has formally requested that the U.S. grant Temporary Protected Status (TPS) to temporarily stop the deportation of Filipino nationals. The Resolution urges the Secretary of the U.S. Department of Homeland Security to assist the Philippines and victims of the national disaster by designating TPS to the Philippines and eligible Filipino nationals regardless of immigration status. According to the Resolution, the Department of Homeland Security previously granted TPS to nationals suffering from civil war or severe natural disasters, including: El Salvador, Haiti, Honduras, Nicaragua, Somalia, Sudan, South Sudan, and Syria. The Resolution therefore recommends that the City support legislation and/or administrative action to grant TPS to Philippine nationals to prevent their deportation while their country recovers from Typhoon Haiyan.

The Office of the Chief Legislative Analyst is recommending adoption of the attached revised Resolution which includes reference to a specific bill on this matter pending before Congress.

BACKGROUND

On March 21, 2014, Resolution (O'Farrell-LaBonge) was introduced to support legislation and/or administrative action to grant Temporary Protected Status (TPS) to Philippine nationals to prevent their deportation while their country recovers from Typhoon Haiyan.

Congressman Al Green introduced H.R. 3062, which would designate the Philippines under section 244 of the Immigration and Nationality Act to permit nationals of the Philippines to be eligible for TPS. H.R. 3602 stipulates that due to the extraordinary and temporary conditions caused by flooding and other catastrophic damage wrought by Typhoon Haiyan and pursuant to U.S. Immigration and Nationality Act (8 U.S.C. 1254a (b)(1)), Philippine nationals would be eligible for TPS in the United

States. Temporary Protected Status will commence upon approval of the act for a period of 18 months. Eligible participants must meet TPS program eligibility requirements, which require: 1) continuous physical presence in the U.S. since November 8, 2013; 2) admission as immigrants not ineligible for temporary protected status; and, 3) registration for TPS with the Secretary of Homeland Security. H.R. 3602 allows participants to travel abroad with approval from the Security of Homeland Security and under emergency and extenuating circumstances beyond the control of the participant.

Under the proposed legislation, the U.S would stop deportations of Filipino nationals and authorize them to work and effectively aid their country. According to the 2010 U.S. Census, there are approximately 3.4 million Filipinos in the U.S making them the second largest Asian group in the country. Several community groups and organizations have joined the effort requesting TPS for the Philippines, these include: the Asian Pacific American Labor Alliance, the Pilipino Workers Center of Southern California, and the National Domestic Workers Alliance. Approval of the legislation is of paramount importance to the Filipino community and will provide support as their country recovers from the devastating typhoon.

We have prepared a revised Resolution to indicate support for H.R. 3602.

DEPARTMENTS NOTIFIED

None

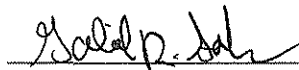
BILL STATUS

11/21/2013

Bill introduced

12/12/2013

Referred to the Subcommittee on Immigration and Border Security



Gabriel R. Salazar

Analyst

GFM:grs

Attachment: Revised Resolution

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, on November 8, 2013, Typhoon Haiyan, a category five typhoon, devastated the Philippines, displacing more than four million people, killing approximately 6,000 people and affecting approximately 16 million people according to the Government of the Philippines National Disaster Risk Reduction and Management Council; and

WHEREAS, on December 13, 2013, the Philippine government formally requested that the United States government grant Temporary Protected Status (TPS) to Philippine nationals in the U.S. and to temporarily stop their deportation;

WHEREAS, the City and the larger Los Angeles community should join the collective and humanitarian effort to support Filipinos during the continuous recovery of their nation; and

WHEREAS, for many Filipinos returning to their native country would entail returning to a country with limited resources, a country attempting to recover and unable adequately accommodate additional people; and

WHEREAS, the Philippines receives approximately nine percent of its gross domestic product through remittances; the designation would allow Filipinos residing in the U.S. an opportunity to assist in recovery efforts where they can legally work, send money and resources; and

WHEREAS, the Department of Homeland Security has previously granted TPS to nationals from countries suffering from civil war or severe natural disasters; and

WHEREAS, currently pending before the House of Representatives is bill H.R. 3062 (Green), which would designate the Philippines under section 244 of the Immigration and Nationality Act to permit nationals of the Philippines to be eligible for TPS; and

WHEREAS, H.R. 3062 states that the extraordinary and temporary conditions caused by flooding and catastrophic damage wrought by the Typhoon Haiyan qualifies the Philippines for TPS designation; and

WHEREAS, H.R. 3062 stipulates that upon Act approval TPS for the Philippines will remain in effect for 18 months; eligible participants must have physical presence in the U.S. since November 8, 2013; be admitted as immigrants not ineligible for TPS; and, must register for TPS with Homeland Security; and

WHEREAS, H.R. 3062 allows participants to travel abroad with approval from the Secretary of Homeland Security and under emergency and extenuating circumstances beyond the control of the participant;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles, hereby includes in its 2013-2014 Federal Legislative Program, SUPPORT of H.R. 3062 and/or any other similar legislation or administrative action to designate the Philippines under section 244 of the Immigration and Nationality Act to permit nationals of the Philippines to be eligible for Temporary Protected Status in the United States.