



CITY CLERK
CITY OF DURHAM

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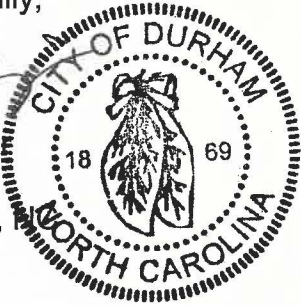
Honorable Secretary of Homeland Security Alejandro Mayorkas
Department of Homeland Security
2707 Martin Luther King Jr. Avenue SE
Washington, D.C. 20528-0525

Dear Secretary Mayorkas,

Enclosed is a *Resolution to Support Designation of Temporary Protected Status for Guatemalans* adopted by the Durham City Council of the City of Durham at their regular Council Meeting held on Monday, April 17, 2023.

Most Respectfully,

Diana Schreiber
City Clerk
City of Durham,



Resolution 10285

RESOLUTION TO SUPPORT DESIGNATION OF TEMPORARY PROTECTED STATUS FOR GUATEMALANS

WHEREAS, the City of Durham is committed to and maintains a long history of supporting, celebrating, and empowering immigrants and refugees, many of whom are escaping war and natural disasters, regardless of their immigration status, and

WHEREAS, Temporary Protected Status (TPS) was created by Congress in 1990 as a form of immigration status and an administrative authority used by the executive branch that provides employment authorization and protection from deportation for foreign nationals who cannot safely return to their home countries, and

WHEREAS, since 1991, the United States has granted TPS to foreign nationals from Afghanistan, Burma, Cameroon, El Salvador, Honduras, Haiti, Nepal, Nicaragua, Syria, Sudan, Somalia, South Sudan, Yemen, Venezuela, and Ukraine, and it has renewed their protected status every 18 months since then. Guatemala has not previously been designated for TPS, and

WHEREAS, Guatemalans are the sixth largest Hispanic group in the United States and the second largest Central American population after Salvadorans. Guatemalans are vulnerable to deportation, severing familial relationships and possibly damaging our country's economic strength. North Carolina is home to more than 18,000 Guatemalans, and

WHEREAS, it remains unsafe for Guatemalans to return to their country because of the ongoing damage and recovery of the 2020 hurricanes, gender-based violence, organized crime, discrimination and displacement among black and indigenous Guatemalans, and

WHEREAS, in light of the increase of anti-immigrant enforcement in the United States such as the Asylum Ban, family detention, 287(g) agreements, and that there remains no hope for legislation in Congress to provide permanent protections to migrants lacking an immigration status, TPS is the only hope on the horizon to protect Guatemalans, and

WHEREAS, the City of Durham recognizes the overwhelmingly positive contribution that TPS holders have on our economy, social fabric, diversity, and the well-being of our community, and

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

NOW THEREFORE, BE IT RESOLVED that the Durham City Council urges the Executive Office of the President of the United States to act immediately to designate TPS for Guatemala, and calls on the Department of Homeland Security to grant a TPS designation for Guatemalans currently residing in the United States, a program that provides support to people fleeing uncertainty, natural disasters, and violence.

BE IT FURTHER RESOLVED that this resolution be sent to the Secretary of the Department of Homeland Security, the Secretary of the Department of State, the Office of the Vice President of the United States, the Executive Office of the President, the leaders of both the Democratic and Republican party of the United States House of Representatives and of the United States Senate, and the Office of the Attorney General.

APPROVED BY
CITY COUNCIL



APR 17 2023

CITY CLERK

Resolution 10286

RESOLUCIÓN PARA APOYAR LA DESIGNACIÓN DE UN ESTATUTO DE PROTECCIÓN TEMPORAL PARA LAS PERSONAS DE GUATEMALA

CONSIDERANDO QUE, la ciudad de Durham está comprometida con, y mantiene, un largo historial de apoyo a, la celebración y el empoderamiento de los inmigrantes y refugiados, muchos de los cuales están huyendo de la guerra y los desastres naturales, sin importar su estatus migratorio, y

CONSIDERANDO QUE, el estatus de protección temporal (TPS, por sus siglas en inglés) fue creado por el Congreso en 1990 como una forma de estatus migratorio y una autoridad administrativa usada por la rama ejecutiva con el fin de ofrecer autorización de empleo y protección a la deportación para extranjeros que no pueden volver de manera segura a sus países de origen, y

CONSIDERANDO QUE, desde 1991, los Estados Unidos ha otorgado el estatus de protección temporal a extranjeros de Afganistán, Birmania, Camerún, El Salvador, Honduras, Haití, Nepal, Nicaragua, Siria, Sudán, Somalia, Sudán del Sur, Yemen, Venezuela y Ucrania; y ha renovado sus estatus de protección cada 18 meses desde entonces. Guatemala no había sido designado para el estatus de protección temporal, y

CONSIDERANDO QUE, los guatemaltecos son el sexto grupo de habla hispana más grande en los Estados Unidos y la segunda población más grande de Centroamérica, después de los salvadoreños. Los guatemaltecos son vulnerables a la deportación, lo que separaría familias y potencialmente perjudicaría la fortaleza económica de nuestro país. Carolina del Norte es el hogar de más de 18,000 guatemaltecos, y

CONSIDERANDO QUE, sigue siendo peligroso para los guatemaltecos regresar a su país debido a la persistencia de los daños y de la labor de reconstrucción por los huracanes del 2020, violencia basada en género, crimen organizado, discriminación y desplazamiento de los guatemaltecos negros e indígenas, y

CONSIDERANDO QUE, en vista del aumento de políticas anti-migratorias en los Estados Unidos como las restricciones al asilo, detención de familias, acuerdos 287(g); y que no hay esperanza de que se implemente alguna legislación en el Congreso para ofrecer protecciones permanentes a los inmigrantes que no cuentan con un estatus migratorio, el estatus de protección temporal es la única esperanza en el horizonte para proteger a los guatemaltecos, y

CONSIDERANDO QUE, la ciudad de Durham reconoce la contribución abrumadoramente positiva que los beneficiarios del estatus de protección temporal tiene sobre la economía, tejido social, diversidad y el bienestar de nuestra comunidad, y

CONSIDERANDO QUE, los beneficiarios del estatus de protección temporal cuentan con niveles significativamente altos de participación en la fuerza laboral: el 94% de los hombres y el 82.1% de las mujeres trabaja; de los cuales, el 83.3% de los hombres y el 54.9% de las mujeres trabaja más de 40 horas a la semana.

AHORA, POR LO TANTO, SE RESUELVE que el Concejo de la ciudad de Durham recomiende a la Oficina Ejecutiva del Presidente de los Estados Unidos que actúe de manera inmediata con el fin de realizar la designación del estatus de protección temporal para Guatemala, y realiza un llamado al Departamento de Seguridad Nacional para que otorgue la designación del estatus de protección temporal a los guatemaltecos que en el momento viven en los Estados Unidos; un programa que

ofrece apoyo para las personas que están huyendo de la incertidumbre, los desastres naturales y la violencia.

POR LO TANTO, SE ACUERDA que esta resolución sea enviada a la Secretaría del Departamento de Seguridad Nacional, la Secretaría del Departamento de Estado, la Oficina del Vicepresidente de los Estados Unidos, la Oficina Ejecutiva del Presidente, los líderes del partido republicano y demócrata en la Cámara de Representantes de los Estados Unidos y del Senado de los Estados Unidos y la Oficina del Fiscal General.


APPROVED BY
CITY COUNCIL

APR 17 2023

CITY CLERK



**U.S. Citizenship
and Immigration
Services**

June 1, 2023

Diana Schreiber
City Clerk
City of Durham
101 City Hall Plaza
Durham, NC 27701-3328

Dear Ms. Schreiber:

Thank you for your April 24, 2023 letter to the Department of Homeland Security (DHS) enclosing the Durham City Council resolution in support of a Temporary Protected Status (TPS) designation for Guatemala. I am responding on behalf of the Department.

The Secretary of Homeland Security may designate a country for TPS and extend or terminate a country's existing TPS designation based upon specific statutory criteria. In order to designate a country for TPS or extend a country's TPS designation, the Secretary must find one or more of the following: (1) there is an ongoing armed conflict within the country that would pose a serious threat to the personal safety of the country's nationals if they were returned; (2) there has been an environmental disaster resulting in a substantial, but temporary, disruption of the living conditions in the area affected, the country is temporarily unable to handle adequately the return of its nationals, and the country has officially requested TPS designation; or (3) there exist extraordinary and temporary conditions in the country that prevent nationals from returning in safety, and the Secretary does not find that permitting the country's nationals to remain temporarily in the United States would be contrary to the national interest of the United States.¹

Please be assured DHS continues to monitor conditions in Guatemala and remains committed to administering its programs, including TPS, in an equitable manner. DHS also offers support that may be available upon request² to assist eligible individuals residing in the United States affected by conditions in their home country. Such support may include:

- Change or extension of nonimmigrant status for noncitizens currently in the United States, even if the request is filed after the authorized period of admission has expired;
- Expedited processing of requests for advance parole documents;
- Expedited adjudication of requests for off-campus employment authorization for eligible F-1 students experiencing severe economic hardship;
- Expedited adjudication of employment authorization applications, where appropriate;

¹ See Immigration and Nationality Act § 244(b)(1).

² Additional information is available at the U.S. Citizenship and Immigration Services website at: <https://www.uscis.gov/humanitarian/special-situations>.

Diana Schreiber

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- Assistance if applicants received a Request for Evidence or a Notice of Intent to Deny and were unable to appear for an interview, submit evidence, or respond in a timely manner because of the special situation; and
- Replacement of lost or damaged immigration or travel documents issued by U.S. Citizenship and Immigration Services, such as a Permanent Resident Card (Green Card).

Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", with a long horizontal flourish extending to the right.

Ur M. Jaddou
Director