



U.S. SENATE COMMITTEE ON THE JUDICIARY
HEARING H.R. 6, AMERICAN DREAM AND PROMISE ACT OF 2021
June 15, 2021

COMMUNITIES UNITED FOR STATUS AND PROTECTION
STATEMENT FOR THE RECORD

Communities United for Status and Protection (CUSP) is a collaborative of grassroots immigrant community organizations working together to end the uncertainty that TPS holders in our communities live with every day, and to build a more inclusive immigrant rights movement that centers the needs and experiences of African, Afro-Caribbean, Afro-Latinx, Arab/Middle Eastern, and Asian Pacific Islander (API) immigrants. The member organizations include Adhikaar, African Communities Together (ACT), Haitian Bridge Alliance (HBA), National Network for Arab American Community (NNAAC), and The UndocuBlack Network.

CUSP is grateful to Chairman Dick Durbin (D-IL) and members of the Senate Judiciary Committee for convening this critical hearing on the American Dream and Promise Act. Along with many other organizations and individuals, CUSP supports the establishment of a path to citizenship for the more than 400,000 Temporary Protected Status (TPS) holders who have become Americans by circumstance, if not by birth. CUSP exhorts the Senate to recognize the contribution of TPS holders and provide them a path to citizenship in any immigration legislation, including through the reconciliation process if necessary.

Recently, the U.S. House of Representatives passed the American Dream and Promise Act (H.R. 6) with bipartisan support and we encourage the Senate to follow suit. The legislation would provide Dreamers and TPS holders with permanent status and a path to citizenship. Securing permanent residency for TPS holders is paramount to provide certainty and stability to individuals who have been denied such peace of mind for decades in many cases.

“I am a Sudanese TPS Holder, and I have been here for 20 years. That's more than half my age, and I've been working, and paying taxes, so I would love to see TPS become permanent, and for us to get a clean path to citizenship. We don't know what the future holds, and nothing is guaranteed in this way. TPS the way it is now doesn't offer security, no future, no longevity. I have never lived in my home country, nor can I live anywhere else since this is the only place I've ever

really known. We need a real solution!” **Ahmed Osman, Sudanese TPS Holder from New York**

TPS is a form of humanitarian relief that is granted by the Secretary of the Department of Homeland Security (DHS) to nationals of a country undergoing ongoing armed conflict, environmental disasters, or other extraordinary and temporary conditions. TPS applications must be received by DHS within a specified timeframe with supporting documentation, payment of fees, and applicants are required to undergo a criminal background check.¹ At least every 18 months, DHS reconsiders whether to extend a country’s TPS designation. Upon a country’s designation extension, beneficiaries must reapply to DHS by paying additional fees, submitting required documentation, and undergoing another background check.² TPS holders are some of the most vetted immigrants in the U.S. today but face perpetual uncertainty, fearing a forced return to an unknown home country, ill-prepared for their arrival.

“I own a transportation company called Sherpa Transportation. My wife works in a restaurant. COVID was hard on both of us, but thankfully, we have been able to continue both of our work and the business, and I am hopeful for the future. I felt that I have achieved my American dream, but I don’t know how long I will be able to stay in this country after contributing my 23 years to the United States.

My son just began Colorado State University for four years - I was so proud of him for starting college in America. I feel that this is also a part of my family’s American dream. Even though he is in college, he is still my son - and he needs our backing through guidance and economical support. I cannot imagine being separated from my family and now I can’t afford it anymore.

We cannot live in this way anymore, and that is why TPS is not enough. TPS has granted my family and others like me so many things and I am grateful. But now we need permanent residency.” **Nabin Sherpa, Nepali TPS holder from Colorado**

Currently, DHS has designated Burma, Haiti, Somalia, South Sudan, Syria, Venezuela, and Yemen for TPS.³ The prior administration terminated TPS protection for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan, however, those countries maintain their TPS protection through ongoing litigation. The Biden administration recently redesignated Haiti for TPS, but it has not done the same for nationals of the remaining countries, even though country conditions have not materially improved.⁴ As it stands, close to 300,000 TPS holders from the countries protected through litigation will lose their status in a few short months.

¹ <https://fas.org/sgp/crs/homesec/RS20844.pdf>

² <https://fas.org/sgp/crs/homesec/RS20844.pdf>

³ <https://www.uscis.gov/humanitarian/temporary-protected-status>

⁴ <https://fas.org/sgp/crs/homesec/RS20844.pdf>

It is with this constant fear of status loss that TPS holders, many of whom have been here for decades, have been forced to build their lives. Despite the uncertainty, they continue going to school, working, building businesses, and having families of their own. Over 80% of TPS holders are employed, having paid about \$4.6 billion in taxes.⁵ Altogether, they're expected to contribute over \$164 billion to the GDP over the next decade.⁶

“I am a proud single mother of a daughter who is working as a nurse. Within a couple of years of getting my work permit through TPS, I was able to acquire two businesses (gas station and convenience stores), in Dallas, and in Texarkana. TPS has given this mother and daughter the opportunities that we could never have imagined back in Nepal, especially as a single mother family. Yet, the uncertainty that TPS entails has been very stressful for us. We need permanent residency so that I can grow my businesses further, my daughter can be ensured of longer-term employment in health services, and we can both continue to give back to the community the way we always have been even while in temporary status. As one of the over 2,500 TPS holders from Nepal, we are calling on Senator Cornyn and Cruz to go beyond partisan politics and support us, their constituents. We are building the economy of Texas at this critical time. Texas is our home and community.” **Namrata Pokhrel, Nepali TPS holder from Texas**

More recently, during the COVID-19 global pandemic, almost one-third of all TPS holders were employed in essential occupations that could not be done remotely and were integral to providing services upon which Americans' relied.⁷ In fact, Texas has the third largest population of TPS holders and the largest number of Nepali TPS holders.⁸ In Texas, during the COVID-19 crisis, 20,700 TPS holders were employed as essential critical infrastructure workers as described by DHS.⁹ In spite of their tenuous immigration status, TPS holders put their lives on the line in service to their adopted country while working in healthcare, food service, manufacturing, transportation, and more.¹⁰ As a result of their essential employment, TPS holders were more likely to contract and die from COVID, yet their efforts helped keep the economy running. At risk to their own health, and in spite of uncertainty, TPS holders worked to ensure access to essential services and kept the economy moving.

⁵ https://dornsife.usc.edu/assets/sites/731/docs/Promising_Returns_April_2019_TPS_Brief.pdf

⁶ <https://www.fwd.us/news/temporary-protected-status-tps-5-things-to-know/>

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<https://www.americanprogress.org/press/release/2020/04/14/483197/release-130000-tps-holders-serving-essential-workers-coronavirus-crisis/>

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<https://www.latimes.com/local/lanow/la-me-ln-nepal-migrants-tps-trump-immigration-20190417-story.html>

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<https://www.americanprogress.org/issues/immigration/reports/2020/10/19/491812/nepali-tps-holders-make-significant-contributions-america/>

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<https://www.americanprogress.org/press/release/2020/04/14/483197/release-130000-tps-holders-serving-essential-workers-coronavirus-crisis/>

Congress must not allow the uprooting of hundreds of thousands of these immigrants who have kept America safe and healthy during one of the nation's darkest moments, but should work to provide them with a path to permanent status so they can truly thrive. The time is now.

Americans across the political spectrum support a path to citizenship for TPS holders.¹¹ This is why CUSP urgently calls on the Senate to pass H.R. 6, to provide much-needed stability to the nation's immigrant communities.

Many TPS holders have lived in the U.S. for decades. They have continued to serve as frontline workers throughout the COVID-19 pandemic, and would be integral to any infrastructure efforts undertaken in the country moving forward, and they contribute significantly to the economy and social fabric of the country. Without a path to citizenship for TPS holders, they are sentenced to a lifetime of uncertainty, having committed to a country that hasn't yet committed to them.

Congress has an obligation to end this uncertainty and make TPS holders' permanent members of our communities. This hearing is an important step towards accomplishing that goal. CUSP applauds this movement and continues to urge the Senate to recognize the sacrifice and commitment of TPS holders by passing the American Dream and Promise Act urgently and creating a path to citizenship.

ADHIKAAR is a New York-based non-profit, organizing the Nepali-speaking community to promote human rights and social justice for all. We are a women-led workers' center and community center focused on workers' rights, immigration rights, access to affordable healthcare and language justice. We organize the Nepali-speaking community to create broader social change; build coalitions on advocacy campaigns that address our community's needs; center women and the most impacted communities in our leadership; engage members in participatory action research; and implement community education, workplace development training, and support services.

AFRICAN COMMUNITIES TOGETHER (ACT) is an organization of African immigrants fighting for civil rights, opportunity, and a better life for our families here in the U.S. and worldwide. ACT empowers African immigrants to integrate socially, get ahead economically, and engage civically. We connect African immigrants to critical services, help Africans develop as leaders, and organize our communities on the issues that matter.

HAITIAN BRIDGE ALLIANCE, INC. (HBA) is a 501(c)(3) nonprofit community organization based in Southern California that advocates for fair and humane immigration policies and connects migrants with humanitarian, legal, and social services, with a particular

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<http://americasvoice.org/wp-content/uploads/2020/12/AV-2020-Immigration-Polling-Overview-Updated.pdf>

focus on Black migrants, the Haitian community, women, LGBTQAI+ individuals and survivors of torture and other human rights abuses. Since 2015, HBA has provided services to asylum seekers and other migrants at the U.S.-Mexico border, in U.S. detention, and during U.S. immigration proceedings.

NATIONAL NETWORK FOR ARAB AMERICAN COMMUNITY (NNAAC) is a national consortium of independent Arab American community-based organizations. The Network's primary mission is to build the capacity of Arab American non-profit organizations that focus on the needs and issues impacting their local community while collectively addressing those issues nationally.

THE UNDOCUBLACK NETWORK (UBN), founded in 2016, is a multigenerational network of currently and formerly undocumented Black people that fosters community, facilitates access to resources and contributes to transforming the realities of our people so we are thriving and living our fullest lives. UBN has chapters in New York City, the DC/MD/VA area, and Los Angeles, CA.