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September 4, 2018

ATTORNEY GENERAL MADIGAN FILES AMICUS BRIEF DEFENDING TEMPORARY PROTECTED STATUS HOLDERS

Chicago — Attorney General Lisa Madigan today announced she joined with 17 other attorneys general to file an amicus brief in *Ramos v. Nielsen* supporting plaintiffs' efforts to prevent the potential deportation of hundreds of thousands of people who hold Temporary Protected Status (TPS) in the U.S.

In this case, plaintiffs are seeking a preliminary injunction blocking a new rule issued by the U.S. Department of Homeland Security (DHS) for purposes of determining whether to extend a country's TPS designation. The plaintiffs allege that the rule has resulted in the termination of TPS status for natives of El Salvador, Haiti, Nicaragua and Sudan and violates the due process rights of TPS holders and their children, and constitutes discriminatory action against TPS holders from Latin America and Africa.

"The federal government should be helping people with temporary protected status who fled extreme hardship and are now living and working in communities across United States," Madigan said.

Federal law provides for TPS, which offers temporary lawful status to foreign nationals in the U.S. from countries experiencing armed conflict, natural disaster, or other extraordinary conditions that temporarily prevent their safe return. The Secretary of Homeland Security may designate a particular country for TPS for periods of 6 to 18 months and can extend these periods if conditions do not improve sufficiently in the designated country. Many TPS holders have lived in the U.S. for a decade or more and have started families and businesses, bought homes, and significantly contributed to their communities.

DHS changed its long-standing practice of looking at the entirety of the conditions in a country when determining whether it is safe for TPS holders to return. Without any substantial explanation, DHS now argues that it can only look narrowly at the original condition in the home country that prompted its TPS designation when deciding whether to extend that designation. This practice ignores other conditions that have arisen in the meantime and pose serious threats to the safety of TPS holders. The plaintiffs in this case allege that DHS enacted its new rule without following legal requirements.

The amicus brief filed by Madigan and the other attorneys general argues that DHS's new rule is contrary to the public interest and that it will harm people across the country in a number of ways, including its impact on:

- Family members, such as hundreds of thousands of U.S. citizen children, who will suffer trauma and hardship from unnecessary and forced separation;
- The economy and the workforce, which are enriched by the employment, entrepreneurship and contributions of TPS holders;
- Public revenues, which are enhanced by the taxes contributed by TPS holders, including an estimated \$100 million alone in property taxes collected annually from Salvadoran homeowners with TPS;
- Healthcare delivery, which will suffer from disruptions in care provided by TPS holders who work at child care facilities, nursing homes and hospitals;
- Public health, which will be hindered by the loss of employer-sponsored insurance for TPS holders and their families; and
- Public safety, which will be damaged by making TPS holders less likely to report crime.

Madigan filed the amicus brief along with the attorneys general of California, the District of Columbia, Massachusetts, Connecticut, Delaware, Hawai'i, Iowa, Maine, Maryland, Minnesota, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia, and Washington.

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