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U.S. Tells Salvadoran T.P.S. Recipients to Get New Visas or Get Out

by Benjamin Witte-Lebhar

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For the approximately 200,000 Salvadoran nationals who have been living in the US for the past 17 years under Temporary Protected Status (TPS) visas, the scenario was never ideal. Recipients had to reapply for TPS on a regular basis, and they were dependent on the willingness of successive US governments to periodically renew the option, which was first extended to Salvadorans after a pair of devastating earthquakes struck their home country in 2001 ([NotiCen, Jan. 25, 2001](#)).

And yet, for nearly two decades, the TPS system allowed a great number of people from the impoverished, violence-plagued Central American nation to live and work legally in the US, raise families, educate their children, start businesses, and even buy homes. It was thus far better than the alternative—being undocumented—which is precisely the situation those 200,000 legal, tax-paying US residents face starting Sept. 9, 2019.

That's when people from El Salvador will no longer be eligible for TPS, the government of US President Donald Trump has decided. The Department of Homeland Security (DHS) made the announcement on Jan. 8, two months after reaching a similar decision regarding immigrants from Haiti ([NotiCen, Nov. 30, 2017](#)). Earlier, the Trump administration—making good, apparently, on its promise to crack down on immigration—terminated the TPS option for Nicaraguans and Sudanese as well.

The TPS program as a whole dates back nearly 30 years and was created for the benefit of foreign nationals from countries struggling with armed conflict or natural disasters. As the "T" in TPS suggests, the designation was always meant to be temporary—a stopgap measure—and never offered a path toward US citizenship or permanent residency. It's only natural, therefore, that the option, as it pertains to specific countries, would eventually be terminated, provided the emergency situation that originally warranted inclusion in the program is deemed to have improved.

That, at least, is the argument the Trump administration is making with regards to El Salvador—and Haiti, Nicaragua and Sudan before it. "Based on careful consideration of available information, including recommendations received as part of an inter-agency consultation process, the secretary [of homeland security] determined that the original conditions caused by the 2001 earthquakes no longer exist. Thus, under the applicable statute, the current TPS designation must be terminated," the DHS argued in a press release.

Few other than President Trump's base supporters, however, see the decision as anything but a strictly political move, especially in light of another US government announcement, made just two days later, warning US citizens to "reconsider travel to El Salvador due to crime." The same government that considers El Salvador too dangerous for travel, in other words, decided at almost the exact moment that 200,000 law-abiding but non-citizen residents of the US should pack their bags in the next 18 months—before the last TPS visas expire for Salvadorans—and relocate there permanently.

"[It's a] disturbing contradiction," US lawmaker Eliot Engel, a Democrat from New York, wrote on Tweeter. "A @StateDept advisory telling Americans to 'reconsider travel' to El Salvador the same week it rips families apart by ordering 200,000 Salvadorans to return."

Others were even more forthcoming in their criticism of the TPS move.

"This is a political, anti-immigrant, racist decision that isn't based on what is best for [the US], for the economy, and for the families," Martha Arévalo, executive director of the California-based immigrants rights organization CARECEN, told the independent Salvadoran news site El Faro.

Reports about a White House meeting attended later that week by US lawmakers (both Democrats and Republicans) and DHS head Kirstjen M. Nielsen, among others, lend even more credence to the argument that the TPS move was motivated by ideology and not, as the DHS press release suggested, based on a practical assessment of conditions in El Salvador.

"Why are we having all these people from shithole countries come here?" Trump allegedly asked during the meeting before suggesting that the US should instead bring in more people from countries such as Norway.

'Orderly transition'

Regardless of what motivated it, the decision is certain to have a real and decidedly hurtful impact on people's lives, on families and entire communities, and on the economies of both El Salvador and the US. The latter stands to lose billions of dollars over the coming years just in terms of Social Security and Medicare contributions, according to a study by the progressive, Washington DC-based think tank Center for American Progress.

"This policy does something rare: It has a negative impact for everyone concerned," Charles T. Call, an associate professor of international peace and conflict resolution at American University in Washington, DC, told The New York Times. "It will harm the US economy by taking away hard-working immigrants who are incarcerated at 44% lower rates than native-born Americans. It will have a sad impact on El Salvador's economy, as 200,000 people, some of whom don't speak Spanish, will be seeking nonexistent jobs."

Rather than drop Salvadorans from the TPS ranks in March, when the current visas expire, the Trump administration agreed to extend it one last time—until September of 2019—to "allow for an orderly transition." That, the DHS announcement indicated, will give the US Congress a chance to "legislate a permanent solution" to the impermanent TPS system on which Salvadorans and others have relied all these years.

Whether US lawmakers will actually reach such a deal, or what the "solution" would look like, is anybody's guess. In the meantime, the DHS encourages individuals to use the 18-month extension "to arrange for their departure or to seek an alternative lawful immigration status in the United States, if eligible." It suggested El Salvador use the time "to prepare for the return and reintegration of its citizens."

Hectic homecoming

How many of the estimated 200,000 Salvadoran TPS beneficiaries will manage to gain legal US residency through marriage or by other means by September 2019 also remains to be seen. Those who do not—and haven't left of their own accord by then—could face deportation and thus join

the ranks of the more than 39,000 Salvadorans who were removed from the US over the past two years, a statistic cited in the DHS announcement as evidence that El Salvador's prior "inability ... to adequately return their nationals after the earthquake has been addressed."

Salvadorans who return to their native country, voluntarily or not, are likely to face a host of difficulties. Some families will no doubt be separated, as many TPS beneficiaries have children who are US citizens by birth and are likely to stay in the US even if one or both of their parents leave. Those children who do accompany their parents to El Salvador will be entering a foreign land where economic opportunities are scarce. Technically, the unemployment rate in El Salvador stands at around 7%, but the majority of people who work have informal jobs.

"It's hard to imagine having to leave. The work situation is difficult everywhere, but [in the US] at least, you earn more, and you can help your family," Franklin Morán Salazar, a TPS beneficiary who earns US\$17 an hour in the US—what many Salvadorans earn in a day—told the daily *El Salvador Hoy*. Morán Salazar has three small children whose mother is a US citizen. "They'll stay. They're small," he explained. "With the little I'd earn [in El Salvador], I'd only be able to send a small amount [to the US] to support them. But I can't stay [in the US] like a criminal, because I'm not."

Complicating matters for would-be returnees is the dismal security situation in El Salvador, where violent street gangs, known locally as *maras*, have given the tiny country one of the highest murder rates of any nation not technically at war. In 2017, nearly 4,000 people were murdered in El Salvador, which is about the size, in terms of both land area and population, as the US state of Massachusetts. The tally marked an improvement over the 2016 numbers—when 5,280 people were killed, according to police ([NotiCen, Jan. 5, 2017](#))—but still works out to an average of 60 murders for every 100,000 inhabitants, more than 11 times the intentional homicide rate in the US.

The gangs support themselves financially, furthermore, through extortion, and could end up preying upon returning Salvadorans, especially those who try to invest their savings into small businesses. "[The gangs] think everyone coming back from the US has money, and they're going to extort them," Luis Alberto López, director of the non-profit organization *Comité de Familiares de Migrantes Fallecidos y Desaparecidos de El Salvador* (Committee of Deceased and Disappeared Migrants from El Salvador), told *The New York Times*.

Reduced remittances

Many observers predict that because of the dangers and economic hardships awaiting them in El Salvador, a large majority of Salvadoran TPS recipients will remain in the US—with or without legal documentation.

"They'll go back into hiding, because fleeing the immigration agents is better than fleeing the gangs," Pablo Alvarado, director of the US-based Salvadoran immigrant association *Red Nacional de Jornaleros* (National Network of Day Laborers), told *BBC Mundo*, the British news outlet's Spanish-language arm.

Hiding out from US immigration agents isn't the only downside to being an undocumented foreigner in the US. Non-legal residents have fewer job opportunities than documented immigrants, and what work they can find tends to pay less. That, in turn, means less money available for helping family members back in El Salvador. In 2016, Salvadorans living abroad (mostly in the US) sent home more than US\$4.5 billion, according to Ariel Ruiz, a researcher with the Migration Policy

Institute in Washington, DC. Overall, remittances (as those kinds of contributions are called) represent an estimated 17% of El Salvador's GDP.

Being driven underground, furthermore, could increase the vulnerability of former TPS visa holders to US-based branches of the Mara Salvatrucha (MS-13) and other Salvadoran street gangs. In speeches, both as a candidate and since beginning his tenure as president, Trump has railed against illegal immigration in general, and MS-13 in particular. And yet, as more than a few analysts point out, his TPS decision regarding El Salvador could exacerbate both problems by turning legal residents into undocumented immigrants, on the one hand, while making things that much easier for MS-13 and other gangs—both in the US and El Salvador—to recruit.

As Tim Rogers, senior editor for Latin America at Fusion, argued in a recent opinion piece: "Revoking the legal status of some 200,000 law-abiding Salvadorans will likely push a massive group of Salvadorans into the shadows of undocumented America, where gangs are king. And insulting El Salvador as a 'shithole' country only ups the hostility and increases the threat level for undocumented immigrants."

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