January 12, 2018

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Trump:

We are writing to respectfully urge you to support an immediate and permanent legislative solution that will allow all individuals protected under temporary protected status (TPS) to remain legally in the United States.

On January 8, 2018, the U.S. Department of Homeland Security announced the decision to end TPS for nearly 200,000 Salvadoran immigrants who have been legally living and working in the United States since 2001. This termination will impact about 30,000 individuals from El Salvador with protected status living in Los Angeles County. This decision, along with the recent termination of TPS for Nicaragua and Haiti, and the prospective termination of TPS for Honduras threatens to remove families who in many cases have had protected status for decades and who have become rooted into American society. Since coming to the United States, these recipients have rebuilt their lives raising families, contributing to the nation’s economy, and enriching the cultural life of our communities. This is now their country, and as many as 55,000 of them call California their home.

TPS has for nearly three decades provided safe harbor for hundreds of thousands of immigrants fleeing nations ravaged by natural disasters, war, or civil strife. Without a permanent solution, stable and hard-working families who came to the United States will be torn apart and return to potentially life-threatening danger.

TPS
Therefore, we respectfully urge you and Congress to pass an immediate and permanent legislative solution for all TPS recipients. Thank you for your consideration of this important matter.

Sincerely,

SHEILA KUEHL
Chair of the Board
Supervisor, Third District

HILDA L. SOLIS
Supervisor, First District

JANICE HAHN
Supervisor, Fourth District

MARK RIDLEY-THOMAS
Supervisor, Second District

KATHRYN BARGER
Supervisor, Fifth District
September 20, 2018

Ms. Sheila Kuehl
Chair of the Board
County of Los Angeles Board of Supervisors
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Ms. Kuehl:

Thank you for your January 12, 2018 letter to President Trump. The White House referred your letter to the U.S. Department of Homeland Security, and Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designations for Nicaragua, Haiti, El Salvador, and Honduras. The Secretary of Homeland Security’s authority to designate a country for TPS and to extend or terminate a country’s existing designation is based upon specific statutory criteria. See Immigration and Nationality Act (INA) § 244(b).

U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

At least 60 days before the current expiration date for a TPS designation, the Secretary must review conditions in the foreign country and, after consultation with other appropriate federal agencies, determine whether the statutory conditions for TPS continue to be met. Under the INA, if the Secretary determines that the conditions for designation persist with respect to a country, the designation must be extended. But, if the Secretary determines that the conditions for designation are no longer met with respect to a country, the Secretary is required to terminate the designation. See INA § 244(b)(1), (3). Following is more information on each determination.

1. Nicaragua

On November 6, 2017, former Acting Secretary Duke announced the termination of Nicaragua’s TPS designation after determining that the statutory conditions underlying the designation no longer continued to be met. To allow for an orderly transition, the former Acting Secretary delayed the effective date by 12 months. Accordingly, Nicaragua’s TPS designation will terminate on January 5, 2019. The 12-month period provides time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States. Additional details on the former Acting Secretary’s decision and the process for current Nicaraguan TPS beneficiaries to renew their work authorization until TPS terminates on January 5, 2019, can be found on the USCIS website, uscis.gov/tps and in the notice published in the Federal Register on December 15, 2017 (82 Fed. Reg. 59,636).
2. Haiti

On November 20, 2017, former Acting Secretary Duke announced the termination of Haiti’s TPS designation after determining that the statutory conditions underlying the designation no longer continued to be met. To allow for an orderly transition, the former Acting Secretary delayed the effective date by 18 months. Accordingly, Haiti’s TPS designation will terminate on July 22, 2019. The 18-month period provides time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States. Additional details on the former Acting Secretary’s decision and the process for current Haitian TPS beneficiaries to renew their work authorization until TPS terminates on July 22, 2019 can be found on the USCIS website, uscis.gov/tps and in the notice published in the Federal Register on January 18, 2018 (83 Fed. Reg. 2648).

3. El Salvador

On January 8, 2018, Secretary Nielsen announced the termination of El Salvador’s TPS designation after determining that the statutory conditions underlying the designation no longer continued to be met. To allow for an orderly transition, Secretary Nielsen delayed the effective date by 18 months. Accordingly, El Salvador’s TPS designation will terminate on September 9, 2019. The 18-month period provides time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States. Additional details on the Secretary’s decision and the process for current El Salvador TPS beneficiaries to renew their work authorization documentation until TPS terminates on September 9, 2019, can be found on the USCIS website, uscis.gov/tps and in the notice published in the Federal Register on January 18, 2018 (83 Fed. Reg. 2654).

4. Honduras

On May 4, 2018, Secretary Nielsen announced the termination of Honduras’s TPS designation after determining that the statutory conditions underlying the designation no longer continued to be met. To allow for an orderly transition, Secretary Nielsen delayed the effective date by 18 months. Accordingly, Honduras’s TPS designation will terminate on January 5, 2020. The 18-month period provides time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States. Additional details on the Secretary’s decision and the process for current Honduran TPS beneficiaries to re-register for TPS and renew their work authorization until TPS terminates on January 5, 2020, can be found on the USCIS website, uscis.gov/tps and in the notice published in the Federal Register on June 5, 2018 (83 Fed. Reg. 26,074).

USCIS is working with the State Department and the governments of El Salvador, Haiti, Nicaragua, and Honduras to help inform relevant stakeholders in-country and in the United States to ensure an orderly return and reintegration of their citizens.

TPS, as enacted in law, is inherently temporary in nature. Initial designation periods are limited to 6-18 months, with required periodic reviews before the end of an initial period of designation and any extended period of designation. Additionally, the period of extension of a designation is limited to 6, 12, or 18 months at a time. See INA § 244(b)(2) and (3). TPS is not intended to be a vehicle to provide long-term immigration benefits to foreign nationals. The law does not permit the Secretary to make a designation permanent; only the U.S. Congress can deal with this issue by changing the law.
Thank you again for your letter and interest in this important issue. Please feel free to share this information with the cosigners of your letter. Should you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

L. Francis Cissna
Director