

# Temporary Protected Status (TPS) - What You Need to Know

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## **What is TPS and Why is it Important?**

Temporary Protected Status or TPS is a form of humanitarian relief which grants legal status to foreign nationals from designated countries facing ongoing armed conflict, environmental disaster, or other extraordinary conditions preventing their safe return. The life-saving program was first established by Congress in the Immigration Act of 1990 and provides a work permit and stay of deportation to foreign nationals from countries who are in the United States at the time the U.S. government grants a designation.

TPS designations are granted by the Secretary of the Department of Homeland Security, are subject to review and extensions can be granted up to 18 months at a time. Prior to the Trump Administration, previous administrations regularly renewed designations for many of the countries protected as of January 2017 as conditions were consistently bleak. Currently, there are over [437,000](#) individuals with TPS living and working in the United States, and combined they have more than [270,000](#) U.S. born citizen children.

Deferred Enforced Departure (DED), a similar form of protected status provides foreign nationals deportation protections and work authorization - just like TPS. The primary difference between the two programs is that TPS is designated by DHS while DED is granted through the President's foreign relations power. The U.S. currently offers DED to one country, Liberia, though the Trump Administration has terminated this protection which is set to expire in March 2019.

The conditions in TPS designated countries remain dangerously unsettled and the U.S. State Department warns Americans against traveling to these nations. **In fact, the majority of countries currently granted TPS (most of which are set to expire imminently) have received a level 4 travel advisory warning - the highest level**

**possible.** Current conditions include: violent crime, terrorism, gender and sexual orientation based violence, rape, torture, drought, civil war and state sanctioned executions.

### **TPS And DED Have Protected Some of the Most Vulnerable Human Beings in the World For One or More of The Following Reasons:**

- **“An ongoing armed conflict**, such as a civil war, that poses a serious threat to the personal safety to returning nationals;
- **An environmental disaster**, such as an earthquake, hurricane, or epidemic, that results in a substantial but temporary disruption of living conditions, and the foreign state is temporarily unable to adequately handle the return of its nationals; or
- **Extraordinary and temporary conditions** in the foreign state that prevent its nationals from returning to the state in safety (unless the U.S. government finds that permitting these nationals to remain temporarily in the United States is contrary to the U.S. national interest).” [[American Immigration Council](#), 8/1/18]

### **Who is Eligible For TPS?**

TPS is granted to nationals of countries that have been designated an eligible country, and they must meet other requirements such as being continuously physically present in the United States since the effective date of the most recent designation date of a country.

### **Eligibility Guidance From USCIS:**

“To be eligible for TPS, you must:

- Be a national of a country designated for TPS, or a person without nationality who last habitually resided in the designated country;
- File during the open initial registration or re-registration period, or you meet the requirements for late initial filing during any extension of your country’s TPS designation (Late initial filers see ‘Filing Late’ section below);
- Have been continuously physically present (CPP) in the United States since the effective date of the most recent designation date of your country; and
- Have been continuously residing (CR) in the United States since the date specified for your country. (See your country’s TPS web page to the left). The law allows an exception to the continuous physical presence and continuous residence requirements for brief, casual and innocent departures from the United States. When you apply or re-register for TPS, you must inform USCIS of all absences from the United States since the CPP and CR dates. USCIS will determine whether the exception applies in your case.

You may NOT be eligible for TPS or to maintain your existing TPS if you:

- Have been convicted of any felony or two or more misdemeanors committed in the United States;
- Are found inadmissible as an immigrant under applicable grounds in INA section 212(a), including non-waivable criminal and security-related grounds;
- Are subject to any of the mandatory bars to asylum. These include, but are not limited to, participating in the persecution of another individual or engaging in or inciting terrorist activity;
- Fail to meet the continuous physical presence and continuous residence in the United States requirements;
- Fail to meet initial or late initial TPS registration requirements; or

- If granted TPS, you fail to re-register for TPS, as required, without good cause.” [[USCIS](#), Accessed, 12/18/18]

### **What Relief Are TPS Holders Eligible For?**

During a designated period, individuals who are TPS beneficiaries or who are found preliminarily eligible for TPS upon initial review of their cases may not be removed from the U.S., can obtain an employment authorization document (EAD), and may be granted travel authorization. Once an individual is granted TPS, DHS may not detain them based on their immigration status. TPS is a temporary benefit that does not lead to lawful permanent resident status or citizenship, but it does not prevent one from: applying for nonimmigrant status, filing for adjustment of status based on an immigrant petition, or applying for any other immigration benefit or protection for which you may be eligible. [[USCIS](#), Accessed, 12/18/18]

### **TPS Holders Have Established Deep Roots in the United States And Are an Integral Part of U.S. Communities And Its Economy.**

Many TPS holders have lived in the U.S. for decades, have combined 270,000 U.S. born citizen children, arrived as children, own homes and are an integral part of our communities and the American economy. On average, recipients from Honduras [have lived](#) in the United States for 22 years, recipients from El Salvador an average of 21 years, and recipients from Haiti an average of 13 years. These TPS holders mostly live in six states; California, Texas, Florida, New York, Virginia, and Maryland.

**TPS holders help drive key sectors in America’s economy including in the healthcare, child care, restaurant, hospitality and construction industries. If these individuals are removed from our workforce the economic consequences would be disastrous:**

- The removal of just Salvadoran, Honduran, and Haitian workers with TPS from our workforce, would cost the U.S. \$164 billion in GDP over the next decade, and cost taxpayers \$3.1 billion. [[CAP: TPS Holders Are Integral Members of the U.S. Economy and Society](#), 10/20/17; [ILRC](#), 4/2017]
- If TPS holders lost their work authorization, the U.S. would see a \$6.9 billion decrease in Social Security and Medicare contributions over a decade. [[CAP: TPS Holders Are Integral Members of the U.S. Economy and Society](#), 10/20/17]
- Further, if TPS holders are forced to leave their jobs, their employers would experience \$967 million in [turnover costs](#). Note: This is only for El Salvador, Honduras and Haiti. [[ILRC](#), 4/2017]
- Major metropolitan areas in Florida, New York, California, Texas, Maryland, and Virginia would feel the GDP and turnover costs most acutely, as this where the largest populations of TPS holders reside. Note: This is only for El Salvador, Honduras and Haiti; they have the largest populations. [[ILRC](#), 4/2017]

**TPS holders have more than [270,00 U.S. born citizen children](#) combined and together they live in all 50 States. Please see the following stats specific to states where FWD.us has State Directors in:**

- TX: More than 50,000 TPS holders and their children live in Texas. [[CAP](#), 10/20/17]

- If Salvadoran and Honduran TPS holders alone were removed from Texas' workforce nearly \$2.2 billion would be lost from state's GDP annually. [[CAP](#), 10/20/17]
- FL: More than 50,000 TPS holders and their children live in Florida. [[CAP](#), 10/20/17]
  - If Salvadoran, Haitian and Honduran TPS holders alone were removed from Florida's workforce more than \$500 million would be lost from state's GDP annually. [[CAP](#), 10/20/17]
- NY: More than 30,000 TPS holders and their children live in New York. [[CAP](#), 10/20/17]
  - If Salvadoran, Haitian and Honduran TPS holders alone were removed from New York's workforce nearly \$1.5 billion would be lost from state's GDP annually. [[CAP](#), 10/20/17]
- GA: Nearly 10,000 TPS holders and their children live in Georgia [[CAP](#), 10/20/17]
  - If Salvadoran and Honduran TPS holders alone were removed from Georgia's workforce nearly \$300 million would be lost from state's GDP annually. [[CAP](#), 10/20/17]
- CO: More than 1,000 TPS holders and their children live in Colorado. [[CAP](#), 10/20/17]
  - If Salvadoran, Haitian and Honduran TPS holders alone were removed from Colorado's workforce more than \$78.2 million would be lost from state's GDP annually. [[CAP](#), 10/20/17]

### **Why Did the Trump Administration End Certain TPS Designations?**

The Trump Administration has ended many TPS designations for the majority of the program's recipients. More than [429,000](#) individuals are at risk of losing protections, with some allowed to legally remain in the U.S. for a short period of time while ongoing litigation moves through the courts. The Administration has argued that the conditions which brought about original TPS designations have ended, they have chosen to ignore current conditions such as [high levels of violence in El Salvador](#) that make it nearly impossible for nationals to return safely and assert that protections are meant to be temporary relief only.

Plaintiffs in the ongoing litigation over the Administration's decision to end many TPS designations allege the program was ended in part due to racial animus. There is a lot of evidence to support this argument. The Trump Administration's decision to terminate TPS for hundreds of thousands of nationals is designed to expel as many immigrants as possible from the U.S., specifically non-white immigrants. The actions of the President, his cabinet and individuals within government agencies have demonstrated this over and over again. From the President's own statements where he derided certain TPS designated nations as "[shit-hole countries.](#)" to [emails](#) written by USCIS officials like Director Lee Cissna and Senior Policy Advisor Robert Law where they pushed passed career department staff re-writing internal assessment memos in order to remove references to human rights abuses, the evidence overwhelmingly points to the desire of this Administration to expel non-white immigrants from the United States.

Like several other disastrous immigration policies implemented by the Trump Administration such as family separation and DACA repeal, removing protections for TPS holders is a policy dictated by anti-immigrant organizations like FAIR, CIS and NumbersUSA; all founded and funded by eugenics enthusiast John Tanton. Under this administration these groups have a new found influence, and many of their principals like [Julie Kirchner \(USCIS Ombudsman\)](#) and Robert Law have moved into government agencies responsible for implementing immigration policy. For example, Robert Law moved directly into the Trump Administration from FAIR. Just before Law's departure from the nativist group, he co-authored a policy paper entitled "[Immigration Priorities for the 2017 Presidential Transition,](#)" where he called for the incoming Trump Administration to reduce

immigration through [ending programs under executive branch control](#): “such as: [Temporary Protected Status](#).” At another point in the report, Law and his colleagues recommended the next President “[revoke TPS for any country that has received more than two renewals](#).”

### **How do Anti-Immigrant Organizations and Their Congressional Allies Want to Reform TPS?**

Anti-immigrant organizations want to restrict all immigration as much as possible, specifically immigrants from non-white European countries. They have argued that the TPS program has been abused and at a minimum requires substantial revisions. FAIR has advocated for the executive branch to “[revoke TPS for any country that has received more than two renewals](#).” While CIS has called for the termination of “[TPS designations that have been in effect for years for several nations, such as El Salvador](#),” and has proposed that the President issue an executive order directing “that [no TPS designation may stay in effect longer than one year](#) unless vetted and approved through the National Security Council prior to being extended, and only in a one-year increment.”

In the 115th Congress Reps. Scott Perry and Mo Brooks introduced legislation that would put harsh restrictions on the program. Perry’s bill entitled [TPS Process Reform Act](#) would restrict the extension of TPS designations to 6-month periods and would terminate TPS automatically if the Attorney General fails to act on the extension of an expiring designation. Brooks’ legislation [TPS Reform Act of 2017](#), removes the authority from the Executive Branch to designate TPS for countries, transferring it to Congress. Additionally, the bill allows Congress to terminate TPS early, places a cap on the length of designation to no more than 18 months, and bars individuals who are undocumented from applying.

### **Which Countries Does the United States Currently Offer TPS to And When Do Their Protections Expire?**

**Ramos v. Nielsen** - TPS expiration dates for countries represented in the **Ramos v. Nielsen** lawsuit which include [Sudan](#), [Nicaragua](#), [Haiti](#), and [El Salvador](#). On Oct. 3, 2018, in [Ramos, et al v. Nielsen, et al., No. 18-cv-01554 \(N.D. Cal. Oct. 3, 2018\) \(PDF, 458 KB\)](#), the U.S. District Court for the Northern District of California enjoined DHS from implementing and enforcing the decisions to terminate TPS for Sudan, Nicaragua, Haiti, and El Salvador, pending further resolution of the case. Should the court’s order remain in effect beyond the initial auto-extension, of TPS for Sudan and Nicaragua, and beyond the six month period specified in an October 31, 2018 Federal Register Notice (FRN) for Haiti and El Salvador, DHS will issue a subsequent FRN approximately 30 days before April 2, 2019, that automatically extends the appropriate TPS-related documentation for beneficiaries of TPS from Sudan, Nicaragua, Haiti and El Salvador by nine months, through Jan. 2, 2020. [[USCIS Haiti Alert](#), Accessed 12/18/18; [USCIS El Salvador Alert](#), Accessed 12/18/18; [USCIS Nicaragua Alert](#), Accessed 12/18/18; [USCIS Sudan Alert](#), Accessed 12/18/18]

\*\*\**Ordered by expiry date*\*\*\*

Country	Population	Expiry Date	Decision Date:	Original Designation	Redesignation	Type of Designation
<b>Liberia - DED</b>	745-4,000 [ <a href="#">CLINIC</a> ,	3/31/19 [ <a href="#">USCIS</a> ]	<b>Terminate</b> <b>d</b>	TPS: 1991-1999 DED: 1999-2002	TPS: 2002-2007	Deferred Enforced

	Accessed 12/18/18]			[CLINIC, Accessed 12/18/18]	DED: 2007-present TPS: 2014-2017 [CLINIC, Accessed 12/18/18]	Departure (DED) must have resided in US since Oct. 2002 [CLINIC, Accessed 12/18/18]
<b>Sudan</b>	1,048 [CRS, pg. 5, 10/10/18]	11/2/18 but extended to 4/2/19* [USCIS]	Terminate d but blocked due to ongoing litigation/ Ramos v. Nielsen	11/4/97 [CLINIC, Accessed 12/18/18]	11/9/99; 11/2/04; 5/3/13 [CLINIC, Accessed 12/18/18]	(A) ongoing armed conflict AND (C) extraordinary and temporary conditions [CLINIC, Accessed 12/18/18]
<b>Nicaragua</b>	5,305 [CRS, pg. 5, 10/10/18]	1/5/19 but extended to 4/2/19* [USCIS]	Terminate d but blocked due to ongoing litigation/ Ramos v. Nielsen	1/5/99 [CLINIC, Accessed 12/18/18]	N/A	(B) environmental disaster and inability, temporarily, to accept returns [CLINIC, Accessed 12/18/18]
<b>South Sudan</b>	77 [CRS, pg. 5, 10/10/18]	5/2/19[USCIS]	3/3/19 [CLINIC, Accessed 12/18/18]	11/3/11 [CLINIC, Accessed 12/18/18]	9/2/14; 1/25/16 [CLINIC, Accessed 12/18/18]	(A) ongoing armed conflict AND (C) extraordinary and temporary conditions [CLINIC, Accessed 12/18/18]
<b>Nepal</b>	14,791 [CRS, pg. 5, 10/10/18]	6/24/19 [USCIS]	Terminate d	6/24/15 [CLINIC, Accessed 12/18/18]	N/A	(B) earthquake and inability, temporarily, to accept returns [CLINIC, Accessed 12/18/18]
<b>Haiti</b>	58,557 [CRS, pg. 5, 10/10/18]	TPS in effect until July 22, 2019 and then	Terminate d but blocked due to	1/21/10 [CLINIC, Accessed 10/18/18]	7/23/11[CLINIC, Accessed 12/18/18]	(C) extraordinary and temporary conditions

		TBD* [CRS, 10/10/19]	ongoing litigation/ Ramos v. Nielsen			[CLINIC, Accessed 12/18/18]
<b>El Salvador</b>	262,526 [CRS, pg. 5, 10/10/18]	TPS in effect until Sept. 9, 2019 and then TBD* [CRS, 10/10/19]	Terminated but blocked due to ongoing litigation/ Ramos v. Nielsen	3/9/01 [CLINIC, Accessed 12/18/18]	N/A	(B) environmental disaster and inability, temporarily, to accept returns [CLINIC, Accessed 12/18/18]
<b>Syria</b>	6,916 [CRS, pg. 5, 10/10/18]	9/30/19 [USCIS]  Note: Syrians who came to the US after August 1, 2016, will be forced to leave after their current visas expire. This extension did not extend TPS to new applicants. [VOX, 2/1/18]	8/1/19 [CLINIC, Accessed 12/18/18]	3/29/12 [CLINIC, Accessed 12/18/18]	6/17/13; 1/5/15; 8/1/16 [CLINIC, Accessed 12/18/18]	(A) ongoing armed conflict AND (C) extraordinary and temporary conditions [CLINIC, Accessed 12/18/18]
<b>Honduras</b>	86,031 [CRS, pg. 5, 10/10/18]	1/5/20 [USCIS]	Terminated	1/5/99 [CLINIC, Accessed 12/18/18]	N/A	(B) environmental disaster and inability, temporarily, to accept returns [CLINIC, Accessed 12/18/18]
<b>Yemen</b>	1,116 [CRS, pg. 5, 10/10/18]	3/3/20 [USCIS]	1/3/20 [CLINIC, Accessed 12/18/18]	9/3/15 [CLINIC, Accessed 12/18/18]	1/4/17 [CLINIC, Accessed 12/18/18]	(A) ongoing armed conflict AND  (C) extraordinary and temporary conditions [CLINIC, Accessed 12/18/18]

						Accessed 12/18/18]
<b>Somalia</b>	499 [CRS, pg. 5, 10/10/18]	3/17/20 [USCIS]	1/17/20 [CLINIC, Accessed 12/18/18]	9/16/91 [CLINIC, Accessed 12/18/18]	9/4/01; 9/18/12 [CLINIC, Accessed 12/18/18]	(A) ongoing armed conflict AND (C) extraordinary and temporary conditions [CLINIC, Accessed 12/18/18]

### **Why Were These Countries Granted TPS and What Are Their Current Conditions?**

<b>Country</b>	<b>Original Designation</b>	<b>Type of Designation</b>	<b>Current Conditions</b>
<b>South Sudan</b>	11/3/11	(A) ongoing armed conflict AND (C) extraordinary and temporary conditions  ***Granted at the same time Sudan was extended, DHS cited armed conflict and “the unique circumstances surrounding the secession of South Sudan from Sudan and the creation of the new Republic of South Sudan.” [USCIS, 10/13/11]	International human rights watch groups <a href="#">report</a> that armed conflict has expanded in South Sudan including sexual violence, arbitrary detentions, and torture. Furthermore there is a rising use of <a href="#">state-sanctioned executions for individuals as young as 16</a> and of course a civil war that has resulted in the death of approximately 383,000 people. <a href="#">The State Department</a> warns Americans against traveling to South Sudan due violent crime and armed conflict. [US State Department Travel Warning Accessed on 12/19/18: Level 4 - Do Not Travel]
<b>Syria</b>	3/29/12	(A) ongoing armed conflict AND (C) extraordinary and temporary conditions	According to the <a href="#">State Department</a> , no part of Syria is “safe from violence.” The agency has warned against traveling to the country due to terrorism, civil unrest, and armed conflict. [US State Department Travel Warning Accessed on 12/19/18: Level 4 - Do Not Travel]
<b>Yemen</b>	9/3/15	(A) ongoing armed conflict AND (C) extraordinary and temporary conditions  ***BBC News // <a href="#">Yemen conflict: How bad is the humanitarian crisis?</a> // 3/28/17	Yemen continues to face ongoing armed conflict, civil unrest, and terrorism according to the <a href="#">State Department</a> . Additionally, women and girls continue to face entrenched abuses such as forced and early marriage and domestic violence, per international human rights watch groups <a href="#">report</a> . [US State Department Travel Warning Accessed on 12/19/18: Level 4 - Do Not Travel]



<b>Somalia</b>	9/16/91	(A) ongoing armed conflict AND (C) extraordinary and temporary conditions  ***CLINIC: <a href="#">Why was Somalia designated for TPS?</a>	Human rights watch groups <a href="#">cite</a> drought that has led to mass displacement and food insecurity due to massive flooding in 2015-2016. Further, there is widespread violence between clans that has resulted in forcing displaced people to <a href="#">live in unsafe camps</a> where individuals are subjected to violence (including rape and physical attacks) and are prevented from accessing any humanitarian aid. The <a href="#">State Department</a> warns against travel to Somalia due to violent crime, such as kidnapping and bombings, terrorism, and piracy. [ <a href="#">US State Department Travel Warning</a> Accessed on 12/19/18: Level 4 - Do Not Travel]
<b>Sudan</b>	11/4/97	(A) ongoing armed conflict AND (C) extraordinary and temporary conditions  ***Mother Jones // <a href="#">They Came to America Fleeing a Brutal Civil War. Trump Just Decided They Need To Go Back.</a> // 9/22/17	<a href="#">International</a> human rights <a href="#">watch</a> groups say Sudan remains dangerously unsettled; and the State Department stills warns Americans against travel to the country - <a href="#">2017</a> , <a href="#">2018</a> . [ <a href="#">US State Department Travel Warning</a> Accessed on 12/19/18: Level 3 - Reconsider Travel]
<b>Nicaragua</b>	1/5/99	(B) environmental disaster and inability, temporarily, to accept returns  *** Nicaragua was first designated for TPS on January 5, 1999, based on environmental disaster grounds, specifically the devastation caused by Hurricane Mitch.	Nicaragua has seen increasing rates of gender-based violence and violence against indigenous people. Human rights watch groups <a href="#">report</a> that gender-based killings are becoming increasingly brutal and tend to be committed by perpetrators acting in groups. The State Department <a href="#">warns</a> against travel to Nicaragua due to crime, civil unrest, limited healthcare ability, and arbitrary enforcement of laws. "Para-police" target anyone opposed to the president and affiliated armed groups have been reported to detain opposition figures & protestors with credible claims of torture and disappearance and, search & seize property arbitrarily. [ <a href="#">US State Department Travel Warning</a> Accessed on 12/19/18: Level 3 - Reconsider Travel]
<b>Liberia - DED</b>	TPS: 1991-1999 DED: 1999-2002	Deferred Enforced Departure (DED) must have resided in US since Oct. 2002 *** "Originally, <a href="#">temporary protected status</a> (TPS) was granted to Liberians already in the U.S. after two brutal civil wars killed 250,000 people from 1989 to 2003, and protected them from having to return to a war-torn nation. In 2007, President George W. Bush <a href="#">terminated</a> TPS for Liberia, but allowed recipients to	Domestic violence, and sexual violence against women and girls remains widespread in Liberia <a href="#">according</a> to human rights watch groups. From 2014-2016 Liberia suffered from an ebola outbreak that <a href="#">resulted</a> in nearly 5,000 people dying. As of 2016, the United Nations Peacekeeping forces <a href="#">pulled out</a> of Liberia, handing back the responsibility for security to the country's

		<p>apply for DED, which since then has been extended roughly every 18 months. President <a href="#">Obama</a> twice continued the <a href="#">DED</a> program through March 31, 2018.” <a href="#">[America’s Voice, 3/20/18]</a></p>	<p>army and police for the first time since 2003 after the country’s two civil wars.</p>
<b>Nepal</b>	6/24/15	<p>(B) earthquake and inability, temporarily, to accept returns</p> <p>*** “Nepal was designated for TPS on June 24, 2015 after the country was struck by a 7.8 magnitude earthquake on April 25, 2015, followed by a series of significant aftershocks. The devastating earthquakes immediately affected more than 8 million people, more than a quarter of Nepal’s total population. About 9,000 people died as a result of the earthquake, and 22,000 people were injured. The earthquake caused significant damage or destruction to more than 755,000 homes.” <a href="#">[CLINIC]</a></p>	<p>According to human rights watch groups, <a href="#">nearly 70% of people</a> who became homeless from the 2015 earthquake remain in temporary shelters and thousands affected by monsoon floods were not provided with adequate assistance. “In the most recent extension of TPS for Nepal (Dec. 26, 2016 through June 24, 2018), the U.S. government determined that an extension of TPS for Nepal was warranted because most homes, schools, health centers and other buildings had yet to be reconstructed. In addition to the recentness of the natural disaster, the U.S. government evaluated and cited serious intervening factors slowing down rebuilding progress, including bureaucratic issues in dispersing aid, civil unrest and blockades preventing necessary materials from entering the country.” <a href="#">[CLINIC]</a> <a href="#">[US State Department Travel Warning</a> Accessed on 12/19/18: Level 2 - Exercise Increased Caution]</p>
<b>Haiti</b>	1/21/10	<p>(C) extraordinary and temporary conditions</p> <p>***Reuters // <a href="#">Haiti revises quake death toll up to over 316,000</a> // 1/12/11</p>	<p>According to <a href="#">Human rights watch groups</a>, violence against women and girls, particularly sexual violence is prevalent, and the State Department <a href="#">warns</a> against travel due to civil unrest and violent crime such as armed robbery. As of September 2017, authorities had <a href="#">failed to assist many of the nearly 38,000 individuals</a> still living in displacement camps since the 2010 earthquake, and many more face food insecurity due to widespread damage to crops and livestock from Hurricane Matthew in 2016. <a href="#">[US State Department Travel Warning</a> Accessed on 12/19/18: Level 3 - Reconsider Travel]</p>
<b>El Salvador</b>	3/9/01	<p>(B) environmental disaster and inability, temporarily, to accept returns</p> <p>*** The New York Times // <a href="#">El Salvador Says Earthquake Aid From Foreign Nations Is Lagging</a> // 2/26/01</p>	<p>El Salvador <a href="#">continues</a> to have one of the world’s highest murder rates, especially for women due to gender-based violence. Turf wars <a href="#">between rival gangs</a> drive violence and perpetuate inequality and insecurity for communities. The State Department <a href="#">warns</a> Americans to reconsider travel due to violent crime such as murder, assault, rape, and</p>

			armed robbery perpetuated by gang activity, narcotics & arms trafficking. [ <a href="#">US State Department Travel Warning</a> Accessed on 12/19/18: Level 3 - Reconsider Travel]
<b>Honduras</b>	1/5/99	(B) environmental disaster and inability, temporarily, to accept returns *** “ Honduras was designated for TPS under President Bill Clinton on Jan. 5, 1999. In Oct. 1998, Honduras was devastated by Hurricane Mitch. With 150 mph winds and days of torrential rain, it was one of the most catastrophic hurricanes in modern history. One-fifth of the Honduran population, 1.4 million people, were left homeless. More than 5,600 people were killed. Two-thirds of Honduras’ roads and bridges were destroyed, as well as the banana, coffee and other agricultural plantations vital to the Honduran economy. The United Nations reported that Hurricane Mitch set Honduras back 20 years, both socially and economically.” [ <a href="#">CLINIC</a> ]	Honduras <a href="#">continues</a> to have one of the world’s highest murder rates, and LGBTQ individuals are considered among those most vulnerable to violence. The country remains largely unstable due to <a href="#">tropical storms</a> and drought that has led to massive crop losses, food insecurity and further economic depression. Additionally, ongoing civil unrest due to the December 2017 presidential elections have further destabilized the country. The State department <a href="#">warns</a> to reconsider travel due to violent gang activity, such as extortion, violent street crime, rape, narcotics and human trafficking. [ <a href="#">US State Department Travel Warning</a> Accessed on 12/19/18: Level 3 - Reconsider Travel]

## Trump Administration on TPS

### President Trump

- **President Trump - Presidential Memorandum: “Presidential Memorandum for the Secretary of State and the Secretary of Homeland Security”** “Through consultation with appropriate executive departments and agencies and my advisors, I have been informed that conditions in Liberia have improved. Liberia is no longer experiencing armed conflict and has made significant progress in restoring stability and democratic governance. Liberia has also concluded reconstruction from prior conflicts, which has contributed significantly to an environment that is able to handle adequately the return of its nationals. The 2014 outbreak of Ebola Virus Disease caused a tragic loss of life and economic damage to the country, but Liberia has made tremendous progress in its ability to diagnose and contain future outbreaks of the disease. Accordingly, I find that conditions in Liberia no longer warrant a further extension of DED, but that the foreign policy interests of the United States warrant affording an orderly transition (“wind-down”) period to Liberian DED beneficiaries. In consultation with my advisors, I have concluded that a 12-month wind-down period is appropriate in order to provide Liberia’s government with time to reintegrate its returning citizens and to allow DED beneficiaries who are not eligible for other forms of immigration relief to make necessary arrangements and to depart the United States.” [[Press Release](#), 3/27/18]
- **Washington Post: “Trump Derides Protections for Immigrants From ‘Shithole’ Countries:** “President Trump grew frustrated with lawmakers Thursday in the Oval Office when they discussed

protecting immigrants from Haiti, El Salvador and African countries as part of a bipartisan immigration deal, according to several people briefed on the meeting. “Why are we having all these people from shithole countries come here?” Trump said, according to these people, referring to countries mentioned by the lawmakers. Trump then suggested that the United States should instead bring more people from countries such as Norway, whose prime minister he met with Wednesday. The president, according to a White House official, also suggested he would be open to more immigrants from Asian countries because he felt that they help the United States economically. In addition, the president singled out Haiti, telling lawmakers that immigrants from that country must be left out of any deal, these people said. “Why do we need more Haitians?” Trump said, according to people familiar with the meeting. “Take them out.” [[Washington Post](#), 1/12/18]

### Senior Advisor to the President of the United States, Stephen Miller

- **The New Yorker: “Rex Tillerson, Who Was Then the Secretary of State, Disregarded the Advice, and Stephen Miller, a Senior Adviser to the President, Pressured D.H.S. Officials to Cancel the Program.”** “On Tuesday, the Washington [Post](#) reported that the Trump Administration had made the T.P.S. cancellation over the sustained and forceful objections of career diplomats at the State Department. Last year, according to the Post, officials from U.S. embassies as well as regional experts sent cables to Washington outlining reasons to extend T.P.S. not just for Hondurans but for other groups, including Salvadorans and Haitians. Rex Tillerson, who was then the Secretary of State, disregarded the advice, and Stephen Miller, a senior adviser to the President, pressured D.H.S. officials to cancel the program. Tillerson spoke with Duke by phone last fall, and told her that ending T.P.S. “was just something she had to do.” She wasn’t persuaded, and she pushed off the decision for six months, by which time Nielsen was in charge of the department” [[The New Yorker](#), 5/11/18]

### Department of Homeland Security

- **Kelly - In an NPR Interview, Former DHS Sec. and White House Chief of Staff John Kelly Contended That TPS Holders Should Have a “Path to Citizenship”**

**Host:** So you think all the TPS status should be canceled for all the countries?

**John Kelly:** I think we should fold all of the TPS people that have been here for a considerable period of time and find a way for them to be [on] a path to citizenship. Use the Haitians as an example.

**Host:** A path to citizenship rather than sent home?

**John Kelly:** Yeah. Well, they were there in a legal status under TPS, that's a big deal. They're under legal status. You take the Central Americans that have been here 20-plus years. I mean if you really start looking at them and saying, "OK you know you've been here 20 years. What have you done with your life?" Well, I've met an American guy and I have three children and I've worked and gotten a degree or I'm a brick mason or something like that. That's what I think we should do — for the ones that have been here for shorter periods of time, the whatever it was that gave them TPS status in the first place. If that is solved back in their home countries they should go home. [[NPR](#), 5/11/18]

- **Nielsen - In an NPR Interview, DHS Sec. Nielsen on The Termination of TPS for Hondurans, Salvadorans, and Haitians: “I Was Required to Take That Action by The Law. Pure And Simple.”**

**Host:** Temporary Protected Status. You all have canceled TPS for nearly 300,000 Hondurans, Salvadorans and Haitians — who have almost as many U.S. born children. We read that these career diplomats from the region had cabled the State Department, asked you not to do this, that these countries were still wracked by violence and poverty and didn't have the capacity to absorb all these deportees. Why did you all take that action?

**DHS Sec. Nielsen:** I was required to take that action by the law. Pure and simple. The statute is very clear. If the conditions that originated from the designating event no longer exist, the statute says the secretary shall terminate. To pretend that conditions continue to exist from a hurricane 20 years ago is a fiction. Does that mean there isn't difficulty in that country? No. Does that mean we shouldn't take care of TPS? No. But does that mean that I have any authority to continue to grant them temporary status? It does not.

**Host:** But there was some discretion. Some of these have gone on, you know, for 15 plus years, but you all decided to draw a line in this in your tenure.

**DHS Sec. Nielsen:** Yeah, we decided to enforce the law. We don't make immigration law. Congress does. Congress needs to do their job. I've said under oath, and I'm happy to say to anyone who will listen. Congress should pass a law to give permanent status to those who've had Temporary Protected Status. I am not going to bow to political pressure, however, to break the law to do Congress's job. They need to do it. [[Press Release](#), 5/10/18]

- **Nielsen - DHS Press Release: “Secretary of Homeland Security Kirstjen M. Nielsen Announcement on Temporary Protected Status for Honduras”** “The Secretary of Homeland Security Kirstjen M. Nielsen has determined that termination of the Temporary Protected Status (TPS) designation for Honduras is required pursuant to the Immigration and Nationality Act. To allow for an orderly transition, she has determined to delay the effective date of the termination for 18 months. The designation will terminate on January 5, 2020. The decision to terminate TPS for Honduras was made after a review of the environmental disaster-related conditions upon which the country’s original 1999 TPS designation was based and an assessment of whether those originating conditions continue to exist, as required by statute. Based on careful consideration of available information, including recommendations received as part of an inter-agency consultation process, the Secretary determined that the disruption of living conditions in Honduras from Hurricane Mitch that served as the basis for its TPS designation has decreased to a degree that it should no longer be regarded as substantial. Thus, as required under the applicable statute, the current TPS designation must be terminated.” [[Press Release](#), 5/4/18]
- **Nielsen - DHS Press Release: “Secretary Kirstjen M. Nielsen Announcement on Temporary Protected Status for Nepal”** “The Secretary of Homeland Security Kirstjen M. Nielsen has determined that termination of the Temporary Protected Status (TPS) designation for Nepal was required pursuant to the statute. To allow for an orderly transition, she has determined to delay the termination for 12 months.

The designation will terminate on June 24, 2019. The decision to terminate TPS for Nepal was made after a review of the environmental disaster-related conditions upon which the country's original designation was based and an assessment of whether those originating conditions continue to exist as required by statute. Based on careful consideration of available information, including recommendations received as part of an inter-agency consultation process, the Secretary determined that the disruption of living conditions in Nepal from the April 2015 earthquake and subsequent aftershocks that served as the basis for its TPS designation have decreased to a degree that they should no longer be regarded as substantial, and Nepal can now adequately manage the return of its nationals. Thus, as required under the applicable statute, the current TPS designation must be terminated." [[Press Release](#), 4/26/18]

- **Nielsen - USCIS Press Release: "DED Granted Country - Liberia"** "In 2007, President George W. Bush directed that Deferred Enforced Departure (DED) be provided for 18 months to certain Liberians in the United States whose Temporary Protected Status (TPS) was expiring on Sept. 30, 2007. President Bush further directed Homeland Security to issue procedures for granting work authorization to DED-covered Liberians. DED has continued to be extended for Liberians since that initial period and was set to expire on March 31, 2018. On March 27, 2018, President Trump, after consulting relevant executive branch agencies, issued a memorandum directing Secretary Nielsen to begin a 12-month DED wind-down period and to provide for continued work authorization throughout the wind-down period. This 12-month transitional period of DED allows affected individuals to arrange for their departure from the United States, or seek an alternative lawful immigration status in the United States, if eligible, before DED ends on March 31, 2019." [[Press Release](#), 3/30/18]
- **Nielsen - DHS Press Release: "Secretary of Homeland Security Kirstjen M. Nielsen Announcement on Temporary Protected Status for El Salvador"** "Today, the Secretary of Homeland Security announced her determination that termination of the Temporary Protected Status (TPS) designation for El Salvador was required pursuant to the Immigration and Nationality Act. To allow for an orderly transition, she has determined to delay the termination for 18 months. The designation will terminate on Sept. 9, 2019. The decision to terminate TPS for El Salvador was made after a review of the disaster-related conditions upon which the country's original designation was based and an assessment of whether those originating conditions continue to exist as required by statute. Based on careful consideration of available information, including recommendations received as part of an inter-agency consultation process, the Secretary 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." [[Press Release](#), 1/8/18]
- **Duke - DHS Press Release: "Acting Secretary Elaine Duke Announcement On Temporary Protected Status For Haiti"** "Today, Acting Secretary of Homeland Security Elaine Duke announced her decision to terminate the Temporary Protected Status (TPS) designation for Haiti with a delayed effective date of 18 months to allow for an orderly transition before the designation terminates on July 22, 2019. This decision follows then-Secretary Kelly's announcement in May 2017 that Haiti had made considerable progress, and that the country's designation will likely not be extended past six months. The decision to terminate TPS for Haiti was made after a review of the conditions upon which the country's original designation were based and whether those extraordinary but temporary conditions prevented

Haiti from adequately handling the return of their nationals, as required by statute. Based on all available information, including recommendations received as part of an inter-agency consultation process, Acting Secretary Duke determined that those extraordinary but temporary conditions caused by the 2010 earthquake no longer exist. Thus, under the applicable statute, the current TPS designation must be terminated.” [[Press Release](#), 11/20/17]

- **The Washington Post: “With The Extension of the Hondurans' Residency Permits, Kelly Told Her That the TPS Decision "keeps Getting Kicked Down the Road..."** “With the extension of the Hondurans' residency permits, Kelly told her that the TPS decision "keeps getting kicked down the road" and that the additional delay "prevents our wider strategic goal" on immigration, the White House official said. ...As DHS officials prepared to make that announcement, Kelly made an urgent call from Japan, where he was traveling with President Trump. He was "irritated," administration officials said, and did not want [his handpicked nominee for DHS secretary, Kirstjen M. Nielsen](#), to face potentially uncomfortable questions about TPS during her confirmation hearing.” [[The Washington Post](#), 11/9/17]
- **Duke - DHS Press Release: “Acting Secretary Elaine Duke Announcement on Temporary Protected Status for Nicaragua And Honduras”** “Today, Acting Secretary of Homeland Security Elaine Duke announced her decision to terminate the Temporary Protected Status (TPS) designation for Nicaragua with a delayed effective date of 12 months to allow for an orderly transition before the designation terminates on January 5, 2019. She also determined that additional information is necessary regarding the TPS designation for Honduras, and therefore has made no determination regarding Honduras at this time. As a result of the inability to make a determination, the TPS designation for Honduras will be automatically extended for six months from the current January 5, 2018 date of expiration to the new expiration date of July 5, 2018... Regarding Honduras, Acting Secretary Duke concluded that despite receiving input from a broad spectrum of sources, additional time is necessary to obtain and assess supplemental information pertaining to country conditions in Honduras in order to make an appropriately deliberative TPS designation determination. Based on the lack of definitive information regarding conditions on the ground compared to pre-Hurricane Mitch, the Acting Secretary has not made a determination at this time, thereby automatically extending the current TPS designation for Honduras for six months – through July 5, 2018.” [[Press Release](#), 11/6/17]
- **Duke - USCIS Press Release: “Temporary Protected Status for Sudan to Terminate in November 2018”** “Acting Secretary of Homeland Security Elaine Duke has determined that conditions in Sudan no longer support its designation for Temporary Protected Status (TPS) after reviewing country conditions, and after Department of Homeland Security (DHS) officials’ consultations with the appropriate U.S. government agencies. Acting Secretary Duke is extending benefits for beneficiaries of Sudan TPS for 12 months to allow for an orderly transition before the designation terminates on Nov. 2, 2018. Current beneficiaries of Sudan’s TPS designation seeking to extend their TPS status must re-register. The deadline will be published in the Federal Register and on [www.uscis.gov/tps](#) later this week. Those who re-register and request a new employment authorization document (EAD) may receive an automatic extension of their expiring EAD for up to 180 days from the date their current EAD expires. If a beneficiary’s EAD request is approved, they will receive a new EAD with an expiration date of Nov. 2, 2018. TPS

beneficiaries are strongly encouraged to re-register and file their EAD applications as early as possible to avoid lapses in documentation of employment authorization.” [[USCIS](#), 9/18/17]

- **Kelly - Press Release: “Readout Of Secretary Kelly’s Trip To Haiti”** “PORT AU PRINCE, Haiti – Today, Secretary of Homeland Security John Kelly met with Haitian President Jovenel Moïse and other senior government officials to discuss the repatriation of returning Haitian nationals and other areas of collaboration. Secretary Kelly also discussed his recent decision to extend Temporary Protected Status for six months and reiterated that the program is meant to be temporary in nature. Secretary Kelly added that Haiti is showing significant signs of recovery following the 2010 earthquake, including the recent decision by the United Nations to withdraw the UN Mission for Stabilization in Haiti (MINUSTAH) in October 2017 and the inauguration of President Moïse in February 2017.” [[Press Release](#), 5/31/17]
- **Duke - In a Personal Memo to Herself, Former DHS Sec. Duke: “The TPS program must end for these countries soon... This conclusion is the result of an America first view of the TPS decision”** “The TPS program must end for these countries soon, it is still clear what the appropriate timing for the termination is and what the United States should do to help the countries and the TPS individuals prepare for the termination... This conclusion is the result of an America first view of the TPS decision” [[National TPS Alliance](#), accessed 12/17/18]
- **Duke - In an Email to Then-Chief of Staff to The President Trump, Former DHS Sec. Duke: “These Decisions Along With The Public Statements Will Send A Clear Signal That TPS In General Is Coming To A Close”** “These decisions along with the public statements will send a clear signal that TPS in general is coming to a close. I believe it is consistent with President’s position on immigration, puts us in the best position to work with Congress to address the DACA and TPS recipients, and protects our tenuous situation on immigration, TCO, and drug reduction priorities with the Northern Triangle (and by “side effect” Mexico per the Ambassador the there.)” [[National TPS Alliance](#), accessed 12/17/18]

## USCIS

- **Cisna Questioned a DHS Memo Recommending the Termination of TPS for Sudan** “This memo reads like one person who strongly supports extending TPS for Sudan wrote everything up to the recommendation section, and then someone who opposes extension snuck up behind the first guy, clubbed him over the head, pushed his senseless body out of the way, and finished the memo. Am I missing something?” [[The Intercept](#), 10/4/18]
- **USCIS Director Cisna: As TPS Expires, “[TPS Beneficiaries] Have Immigration Options Open”** “As those TPS programs expire, the ones that have been already terminated, but with the long expiration phase-out window, I don't know what to say. I mean, people have immigration options open to that. I’m not going to give legal counsel from the podium what they can or can't do, but you know, there are avenues of relief that I'm sure many of you are thinking of in your head as I speak to people with TPS who then get off of TPS.” [[C-SPAN](#), 10/01/18]



- **USCIS Policy Senior Policy Advisor Commented On A Memo Regarding TPS For Haitians: ““The Draft Is Overwhelming Weighted For The Extension Which I Do Not Think Is The Conclusion We Are Looking For”** “The draft is overwhelming weighted for the extension which I do not think is the conclusion we are looking for. The memo seems to discuss or downplay the positive developments that should suggest reauthorization is inappropriate. The memo also makes no mention of the substantial amount of foreign aid the U.S. and charities have invested in Haiti since the earthquake another relevant factor to indicate that Haiti no longer meets the definition of TPS.” [[National TPS Alliance](#), accessed 12/17/18]
- **USCIS Senior Policy Advisor Robert Law Who is the Former Director of Government Relations at FAIR, Rewrote a Haiti TPS Recommendation Memo in Order to Get the Conclusion “We are Looking For.”** In November 2016 Law co-authored FAIR’s major policy report [Immigration Priorities for the 2017 Presidential Transition](#), in which he proposed harsh measures like indefinite family detention and revoking TPS for countries who have had more than two renewals, FAIR’s founder John Tanton, a white nationalist and eugenics proponent who has worked to ensure the [protection of a white ethnic majority](#) in America, is listed on the final page of this report under the National Board of Advisors. [[FAIR](#), 11/16; [National TPS Alliance](#), Accessed on 9/10/18]

## The State Department

- **The New Yorker: “Rex Tillerson, Who Was Then the Secretary of State, Disregarded the Advice, and Stephen Miller, a Senior Adviser to the President, Pressured D.H.S. Officials to Cancel the Program.”** “On Tuesday, the Washington [Post](#) reported that the Trump Administration had made the T.P.S. cancellation over the sustained and forceful objections of career diplomats at the State Department. Last year, according to the Post, officials from U.S. embassies as well as regional experts sent cables to Washington outlining reasons to extend T.P.S. not just for Hondurans but for other groups, including Salvadorans and Haitians. Rex Tillerson, who was then the Secretary of State, disregarded the advice, and Stephen Miller, a senior adviser to the President, pressured D.H.S. officials to cancel the program. Tillerson spoke with Duke by phone last fall, and told her that ending T.P.S. “was just something she had to do.” She wasn’t persuaded, and she pushed off the decision for six months, by which time Nielsen was in charge of the department. [[The New Yorker](#), 5/11/18]
- **The New Yorker: “You Had Career People Arguing in Favor of Extending T.P.S. When They Sent Along Their Recommendations, Their Memos Would Stop Dead in Their Tracks or Get Rewritten.”** “On Wednesday, I spoke with a former Trump Administration official who was involved in the decision-making on T.P.S. last fall. The official told me, “You had career people arguing in favor of extending T.P.S. When they sent along their recommendations, their memos would stop dead in their tracks or get rewritten.” [[The New Yorker](#), 5/11/18]
- **The New Yorker: “The Gridlock Was a Real Problem for Us When it Came to T.P.S. Sometimes We Would Get Reports from State on Country Conditions After the Secretary Had Made Her Decision.”** “The official blamed one particular office at the State Department—the policy-planning shop—which Tillerson had revamped as part of an initiative to streamline the bureaucracy. In the past, the

office functioned as an in-house think tank, offering policy advice to the Secretary; under Tillerson, it became a centralized decision-making body that further concentrated influence at the top of the department hierarchy. Though the idea was to make the State Department more agile, the effect was often the opposite. “It’s the place where memos go to languish until they’re O.B.E.—overtaken by events,” a former State Department official told me. According to a former D.H.S. official, “The gridlock was a real problem for us when it came to T.P.S. Sometimes we would get reports from State on country conditions after the Secretary had made her decision.” [[The New Yorker](#), 5/11/18]

- **The New Yorker: “Several Bureaus at the State Department Made Recommendations on The T.P.S. Issue. One—Called Population, Refugees, and Migration (P.R.M.)—Recommended extending T.P.S.”** Several bureaus at the State Department made recommendations on the T.P.S. issue. One—called Population, Refugees, and Migration (P.R.M.)—recommended extending T.P.S.; another—Western Hemisphere Affairs (W.H.A.)—advised against it. (W.H.A.’s position was a surprise to many, given its support for extending T.P.S. in previous years.)” [[The New Yorker](#), 5/11/18]
- **The Washington Post: “On Tuesday, Secretary of State Rex Tillerson Sent a Letter to Acting DHS Secretary Elaine Duke to Inform Her That Conditions in Central America and Haiti That Had Been Used to Justify the Protection No Longer Necessitate a Reprieve for the Migrants...”** “On Tuesday, Secretary of State Rex Tillerson sent a letter to acting DHS secretary Elaine Duke to inform her that conditions in Central America and Haiti that had been used to justify the protection no longer necessitate a reprieve for the migrants, some of whom have been allowed to live and work in the United States for 20 years under a program known as Temporary Protected Status (TPS). Tillerson’s assessment, required by law, has not been made public, but its recommendations were confirmed by several administration officials familiar with its contents.” [[The Washington Post](#), 11/9/17]

## Department of Justice

- **In Remarks To The Heritage Foundation On Judicial Encroachment, Attorney General Jeff Sessions Criticized Judges Who Ruled in Favor of DACA And TPS Cases Of “Judicial Activism”**
  - **“Too Many Judges Believe It Is Their Right, Their Duty, To Act Upon Their Sympathies And Policy Preferences.”** “Too many judges believe it is their right, their duty, to act upon their sympathies and policy preferences. In the recent DACA litigation, for example, a judge last year told one of our DOJ litigators, “You can’t come into court to espouse a position that is heartless.” Not illegal. Not unlawful. Heartless. And later, after I responded in a speech that it isn’t a judge’s job to decide whether a policy is “heartless,” the judge again scolded the DOJ lawyer by stating that I “seem to think the courts cannot have an opinion.” Well, of course a judge can have political and policy opinions. But they should decide legal questions based on the law and the facts – not their policy preferences.” [[Press Release](#), 10/15/18]
  - **“Judges Are Starting to Believe Their Role is...Redo The Entire Political Debate in Their Courtrooms. We Have Seen it in The Litigation Over The DACA Rescission... [And] in The TPS Case”** “When a hot-button policy issue ends up in litigation, judges are starting to believe

their role is to examine the entire process that led to the policy decision—to redo the entire political debate in their courtrooms. We have seen it in the litigation over the DACA rescission, the order about service of transgender individuals in the military, and the decision to terminate Temporary Protected Status. Indeed, in the TPS case, the judge has gone so far as to order the production of a Cabinet Secretary’s handwritten notes taken during a high-level White House meeting.” [[Press Release](#), 10/15/18]

- **DOJ Refutes CA District Judge’s Preliminary Injunction On The Termination Of TPS Claiming The Court’s Decision “Usurps The Role Of The Executive Branch In Our Constitutional Order”** “The Court’s decision usurps the role of the executive branch in our constitutional order. The Court contends that the duly elected President of the United States cannot be involved in matters deciding the safety and security of our nation’s citizens or in the enforcement of our immigration laws. The Justice Department completely rejects the notion that the White House or the Department of Homeland Security did anything improper. We will continue to fight for the integrity of our immigration laws and our national security.” [[NPR](#), 10/04/18]
- **Gene Hamilton Ignored Conditions in Countries with TPS, Revised Internal Assessment Memos Removing References to Human Rights Abuses.** Like in the emails with Cissna and Law, Hamilton who is the Senior Advisor to Department of Justice, and former Sen. Sessions Counsel pushed passed the advice of career department officials, making last minute revisions to remove references to human rights abuses in internal assessment memos. Hamilton is behind other unpopular Trump Administration immigration policies like the repeal of DACA, and reductions in refugees caps. [[CNN](#), 2/17/17; [New Yorker](#), 11/10/17; [CNN](#), 8/24/18]

### Select GOP Senators on TPS

#### Senator Graham on TPS

- **Sen. Graham: ““I Got Three Groups That I’m Hoping Will Form,” Graham Told McClatchy. “one on Border Security, One on (Temporary Protected Status) Populations ... and Other Is Legal Immigration.”** “I got three groups that I’m hoping will form,” Graham told McClatchy. “One on border security, one on (Temporary Protected Status) populations ... and other is legal immigration. I’m feeling better than I’ve felt, that more and more senators understand we look stupid, and it’s not enough open government: You gotta get government to work.” [[The Wichita Eagle](#), 1/23/18]
- **Sen. Graham Press Release: “Momentum Growing For Immigration Reform Proposal”** “The current Diversity Visa Lottery will be abolished, and a new merit-based immigration system instituted in its place. Half of the Diversity Lottery visas would be allocated to a new system for ‘priority countries’ who are currently underrepresented in visa allocation. A new merit-based system would ensure those visas are awarded to those most ready to succeed in the United States. The other half of the visas would be allocated to recipients of Temporary Protected Status (TPS). After the TPS backlog is cleared, all of the former Diversity Lottery visas will be allocated to nationals of priority countries under the new, merit-based system.” [[Press Release](#), 1/17/18]

### Senator Cornyn on TPS

- **Dallas News: “Sen. John Cornyn Told Reporters Last Thursday That He Had Not Been Aware of the Impending Deadlines or Heard of Any Discussions on Extending TPS for Central American Countries, “but That’s Something We’ll Look Into.”** “It’s hardly been temporary, and that, I think, should be part of a larger discussion about immigration reform, [[Dallas News](#), 10/27/17]

### Senator Lee on TPS

- none

### Senator Tillis on TPS

- **Sen. Tillis: “By Not Providing Tps Families With Long-term Guidance Regarding Their Status. It Is Glaring Proof Of How Broken Our Immigration System Really Is And Why Reform is Needed.”** "This is a very unfortunate situation for many families who have been in the United States for years. Responsibility ultimately falls on Congress and previous administrations for kicking the can down the road for decades by not providing TPS families with long-term guidance regarding their status. It is glaring proof of how broken our immigration system really is and why reform is needed. Moving forward, Congress needs to make sure it conducts stronger oversight of the TPS program to ensure it provides a temporary home for people fleeing from natural disasters and volatile conditions in their home countries." [[CBS 17](#), 1/9/18]

### Senator Cruz on TPS

- **Roll Call: “Still, a Bill That Includes Provisions to Protect TPS Recipients from Deportation Is Unlikely to Pass, According to Republicans Including Sen. [Ted Cruz](#), R-Texas.”** “Still, a bill that includes provisions to protect TPS recipients from deportation is unlikely to pass, according to Republicans including Sen. [Ted Cruz](#), R-Texas. “If we are going to have a bill that has a reasonable chance of passing it is going to be a narrow bill,” said Cruz, who introduced his own measure without TPS protection and which has 21 Republican co-sponsors. “If it becomes a Christmas tree for each side’s preferred outcomes, then I think it quickly becomes the bill that cannot garner 60 votes.”” [[Roll Call](#), 7/12/18]

### Senator Johnson on TPS

- **Roll Call: “Other Republicans Say They Want to Address Family Separations at the Border First and TPS Later.”** “Other Republicans say they want to address family separations at the border first and TPS later. “It’s just such a mess,” Sen. [Ron Johnson](#) of Wisconsin, who co-sponsored Tillis’ bill, said. “Right now we need to focus on a small bit of the problem and try to fix that.”” [[Roll Call](#), 7/12/18]

### Legislation Offered in the 115th Congress

## Legislation Favorable to TPS Holders Introduced in the 115th Congress

**Senators Graham and Durbin’s January 2018 Proposal:** Per [Vox](#), the Graham/Durbin January proposal covered four areas: a DACA ‘fix’, restrictions on family based migration, reallocated visas from the diversity visa lottery program, and provided \$1.6B in border security funding. The proposal reportedly eliminated the diversity visa lottery program and reallocated a portion of the 50,000 visas to those facing the loss of TPS under the Trump Administration. [[Vox](#), 1/16/18]

### [H.R.4184](#) — 115th Congress (2017-2018) **ESPERER Act of 2017**

Sponsor: [Rep. Curbelo, Carlos \[R-FL-26\]](#) (Introduced 10/31/2017) Cosponsors: (14) Committees: House - Judiciary Latest Action: House - 11/17/2017 Referred to the Subcommittee on Immigration and Border Security. ([All Actions](#))

**Description:** The ESPERER Act applies to TPS holders from Haiti, Nicaragua, El Salvador, and Honduras and allows current recipients from target countries to apply for LPR status after meeting certain requirements. TPS holders from target countries may apply for a green card if they arrived in the U.S. before or on 1/13/2011; are TPS holders when applying for LPR status; were physically present in the US. on 1/12/2011; have been present in the U.S. for at least 1 year; and are physically present when applying for LPR. [[National Immigration Forum](#), 10/11/18]

### [H.R.4253](#) — 115th Congress (2017-2018) **American Promise Act of 2017**

Sponsor: [Rep. Velazquez, Nydia M. \[D-NY-7\]](#) (Introduced 11/03/2017) Cosponsors: (126) Committees: House - Judiciary Latest Action: House - 11/21/2017 Referred to the Subcommittee on Immigration and Border Security. ([All Actions](#))

**Description:** The American Promise Act applies to TPS holders from El Salvador, Guinea, Haiti, Honduras, Nepal, Nicaragua, Sierra Leone, Somalia, South Sudan, Sudan, Syria, Yemen, and DED Holders from Liberia. The bill also allows certain TPS holders to apply for LPR status. To qualify for LPR, TPS holders must apply within three years of bill enactment, meet LPR admissibility requirements, have TPS or DED on or before 10/1/2017, and have been physically present in the U.S. for three years since bill effective date of bill. [[National Immigration Forum](#), 10/11/18]

### [H.R.4384](#) — 115th Congress (2017-2018) **ASPIRE-TPS Act of 2017**

Sponsor: [Rep. Clarke, Yvette D. \[D-NY-9\]](#) (Introduced 11/14/2017) Cosponsors: (21) Committees: House - Judiciary Latest Action: House - 12/13/2017 Referred to the Subcommittee on Immigration and Border Security. ([All Actions](#))

**Description:** The ASPIRE Act applies to TPS holders from El Salvador, Guinea, Haiti, Honduras, Nepal, Nicaragua, Sierra Leone, Somalia, South Sudan, Sudan, Syria, Yemen, and DED holders from Liberia. The bill does not provide a pathway to LPR, instead it establishes a new “protected status” for the individuals from countries listed in the bill. Protected status is granted for a period of 6 years and is renewable for an additional 6 years. [[National Immigration Forum](#), 10/11/18]

### [H.R.4750](#) — 115th Congress (2017-2018) **TPS Act of 2018**

Sponsor: [Rep. Coffman, Mike \[R-CO-6\]](#) (Introduced 01/10/2018) Cosponsors: (0) Committees: House - Judiciary  
Latest Action: House - 01/24/2018 Referred to the Subcommittee on Immigration and Border Security. ([All Actions](#))

**Description:** The TPS Act of 2018 applies to TPS holders from all countries designated for TPS at the date of enactment, if the individuals qualify to register for LPR status. The bill terminates the TPS program and grants LPR status to qualifying TPS holders. TPS holders may apply for LPR status after a 3-year extension period if they were a TPS holder before termination of the program, apply six months prior to the end of the three-year extension, and meet admissibility requirements for LPR. [[National Immigration Forum](#), 10/11/18]

#### **[S.2144](#) — 115th Congress (2017-2018) SECURE Act**

Sponsor: [Sen. Van Hollen, Chris \[D-MD\]](#) (Introduced 11/16/2017) Cosponsors: (23) Committees: Senate - Judiciary  
Latest Action: Senate - 11/16/2017 Read twice and referred to the Committee on the Judiciary. ([All Actions](#))

**Description:** The SECURE Act applies to TPS holders from El Salvador, Guinea, Haiti, Honduras, Nepal, Nicaragua, Sierra Leone, Somalia, South Sudan, Sudan, Syria, Yemen, and DED holders from Liberia. The bill does allow certain TPS holders to apply for LPR status. To qualify, TPS holders must have been granted or eligible for last TPS designation, have been present in the U.S. for last three years, and be physically present when applying. [[National Immigration Forum](#), 10/11/18]

#### **[H.R.6696](#) — 115th Congress (2017-2018) TPS Extension Act of 2018**

Sponsor: [Rep. Coffman, Mike \[R-CO-6\]](#) (Introduced 09/04/2018) Cosponsors: (0) Committees: House - Judiciary  
Latest Action: House - 10/09/2018 Referred to the Subcommittee on Immigration and Border Security. ([All Actions](#))

**Description:** The TPS Extension Act of 2018 applies to TPS holders from all countries designated for TPS at the date of enactment. It does not allow TPS holders to apply for LPR, and only extends the period of designation for certain countries through September 15, 2021. [[National Immigration Forum](#), 10/11/18]

**[S.3759](#) — 115th Congress (2017-2018) Venezuela Temporary Protected Status and Asylum Assistance Act of 2019.** A bill to designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section and to strengthen internal migration systems in countries surrounding Venezuela. Sponsor: [Sen. Menendez, Robert \[D-NJ\]](#) (Introduced 12/13/2018) Cosponsors: (3)

#### **[H.R.4933](#) — 115th Congress (2017-2018) Fair TPS Act**

Sponsor: [Rep. Rush, Bobby L. \[D-IL-1\]](#) (Introduced 02/05/2018) Cosponsors: (0) Committees: House - Judiciary  
Latest Action: House - 02/05/2018 Referred to the House Committee on the Judiciary. ([All Actions](#))

**[H.Con.Res.87](#) — 115th Congress (2017-2018) Expressing the sense of the Congress that temporary protected status for Haitian nationals should be extended** until that country has demonstrably recovered from the 2010 earthquake, the cholera epidemic, Hurricane Matthew, and other disasters. Sponsor: [Rep. Wilson, Frederica S. \[D-FL-24\]](#) (Introduced 10/25/2017) Cosponsors: (29) Committees: House - Foreign Affairs, Judiciary  
Latest Action: House - 11/29/2017 Referred to the Subcommittee on the Western Hemisphere. ([All Actions](#))

**[H.Con.Res.88](#)** — **115th Congress (2017-2018) Expressing the sense of the Congress that temporary protected status for Haitian nationals should be extended** until that country has demonstrably recovered from the 2010 earthquake, the cholera epidemic, Hurricane Matthew, and other disasters.Sponsor: [Rep. Wilson, Frederica S. \[D-FL-24\]](#) (Introduced 10/27/2017) Cosponsors: (36)Committees: House - Foreign Affairs, Judiciary Latest Action: House - 11/29/2017 Referred to the Subcommittee on the Western Hemisphere. ([All Actions](#))

**[H.R.6325](#)** — **115th Congress (2017-2018) Continue American Safety Act (CASA)**  
Sponsor: [Rep. Jackson Lee, Sheila \[D-TX-18\]](#) (Introduced 07/10/2018) Cosponsors: (12)Committees: House - Judiciary Latest Action: House - 08/06/2018 Referred to the Subcommittee on Immigration and Border Security. ([All Actions](#))

**[H.Con.Res.4](#)** — **115th Congress (2017-2018) Expressing support for temporary protected status for Haitian nationals currently residing in the United States, and for other purposes.** Sponsor: [Rep. Hastings, Alcee L. \[D-FL-20\]](#) (Introduced 01/04/2017) Cosponsors: (6)Committees: House - Judiciary, Foreign Affairs Latest Action: House - 01/11/2017 Referred to the Subcommittee on Immigration and Border Security. ([All Actions](#))

### **Legislation Unfavorable to TPS Holders Introduced in the 115th Congress**

**[H.R.5496](#)** — **115th Congress (2017-2018) TPS Process Reform Act**  
Sponsor: [Rep. Perry, Scott \[R-PA-4\]](#) (Introduced 04/12/2018) Cosponsors: (1)Committees: House - Judiciary Latest Action: House - 05/21/2018 Referred to the Subcommittee on Immigration and Border Security. ([All Actions](#))

**Description:** The TPS Process Reform Act would restrict the extension of TPS designations to only 6-month periods and would terminate TPS automatically where the Attorney General fails to act on the extension of an expiring designation. [[Congress.gov](#), Accessed 12/18/18]

**[H.R.2604](#)** — **115th Congress (2017-2018) TPS Reform Act of 2017**  
Sponsor: [Rep. Brooks, Mo \[R-AL-5\]](#) (Introduced 05/23/2017) Cosponsors: (5)Committees: House - Judiciary Latest Action: House - 06/23/2017 Referred to the Subcommittee on Immigration and Border Security. ([All Actions](#))

**Description:** Brooks legislation [TPS Reform Act of 2017](#) removes the authority from the Executive Branch to designate TPS for countries and transfers it to Congress. Additionally, the bill allows Congress to terminate TPS early, places a cap on the length of designation to no more than 18 months, and bars individuals who are undocumented from applying for TPS. [[Congress.gov](#), Accessed 12/18/18]

### **External TPS Resources**

\*\*\*FWD External Resource: [Temporary Protected Status \(TPS\): 5 Things to Know](#), December 20, 2018

*Ordered by date*

American Action Forum // [Primer: Temporary Protected Status](#) // December 10, 2018

Catholic Legal Immigration Network // [Temporary Protected Status \(TPS\) and Deferred Enforced Departure \(DED\)](#) // Accessed November 30, 2018

Alianza Americas // [Save TPS](#) // Accessed November 30, 2018

LiUNA! // [Protect and Preserve the Temporary Protected Status Program](#) // Accessed November 30, 2018

National Immigration Forum // [Fact Sheet: Temporary Protected Status](#), October 12, 2018

Congressional Research Service (CRS) // [Temporary Protected Status: Overview and Current Issues](#) // October 10, 2018

Catholic Legal Immigration Network // [Temporary Protected Status for Honduras](#) // Accessed 10/10/18

AILA // [Temporary Protected Status: An Overview](#) // August 1, 2018

MPI // [Tens of Thousands in United States Face Uncertain Future, as Temporary Protected Status Deadlines Loom](#) // December 1, 2017

UnidosUS // [The TPSeano Series: Construction Industry Stands to Lose if TPS Ends](#) // October 26, 2017

AILA // [Temporary Protected Status in the United States](#) // October 23, 2017

CARECEN & University of Kansas // [Temporary Protected Status in the United States: The Experiences of Honduran and Salvadoran Immigrants](#) // October 2017

CAP // [TPS Holders Are Integral Members of the U.S. Economy and Society](#) // October 20, 2017

CMS // [A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti](#) // August 2017

ILRC // [Economic Contributions by Salvadoran, Honduran, and Haitian TPS Holders](#) // March 19, 2017

National TPS Alliance // [What is TPS](#): You can read about TPS litigation and comb through government documents made public as part of the lawsuit on this site.

American Immigration Council // [TPS Resources](#)

## **Key Clips on TPS**

### **National**

CBS News // CAMILO MONTROYA-GALVEZ // [Graham floats trading DACA, TPS protections for \\$5 billion in wall funding to end shutdown](#) // 12/31/18

Remezcla // Christine Bolaños // [This Facebook Tool Arms TPS Holders With Important Information About Their Status](#) // 12/28/18

NBC News // Patricia Guadalupe // [Immigrants protected in U.S. for decades face another year of uncertainty](#) // 12/28/18

Bloomberg Law // [Democrats Call for Investigation Into Protected Status Decisions](#) // 12/5/18

The New York Times // [The Number of Undocumented Immigrants in the U.S. Has Dropped, a Study Says. Here are 5 Takeaways](#) // 11/27/18

The Washington Post // [Haitian immigrants revived America's turkey town. This Thanksgiving together might be their last.](#) // 11/20/18

The Washington Post // [American Girl: A Story of Immigration, Fear and Fortitude](#) // 10/2/18

Vox // [Judge blocks Trump's efforts to end Temporary Protected Status for 300,000 immigrants](#) // 10/4/18

CNN // Tal Kopan // ['It IS bad there': Emails reveal Trump officials pushing for immigrant protection terminations](#) // 8/27/18

The Washington Post // [By ending 'temporary protected status' for half a million people, Trump has probably increased illegal migration](#) // 8/7/18



The Intercept // Leighton Akio Woodhouse // [Citing Trump's Racism, A Federal Judge Restores Protections For Immigrants Fleeing Wars And Disasters](#) // 8/4/18

The New Yorker // [The Battle Inside the Trump Administration Over T.P.S.](#) // 5/11/18

The Intercept // [Trump Administration Weighs Whether To Extend Protections For Thousands Of Syrians](#) // 1/25/18

The Washington Post // [Trump derides protections for immigrants from 'shithole' countries](#) // 1/12/18

Vox // [Trump's attacks on humanitarian immigration just became a full-blown war](#) // 1/9/18

The New York Times // Ron Nixon and Eileen Sullivan // [White House Pressed Unsuccessfully to End Immigration Program](#) // 11/9/17

The Washington Post // Nick Miroff // [White House chief of staff tried to pressure acting DHS secretary to expel thousands of Hondurans, officials say](#) // 11/9/17

The New Yorker // Jonathan Blitzer // [The Battle Inside the Trump Administration Over T.P.S.](#) // 5/11/18

The Washington Post // Nick Miroff, Karen DeYoung // [Protected status no longer justified for Central Americans and Haitians in U.S., State Dept. says](#) // 11/3/17

### **Beltway**

McClatchy // [Top lawmakers in Congress push to protect Venezuelans facing deportation](#) // 12/13/18

The Hill // [Trump administration ignored intel warnings in canceling immigration protections](#) // 7/18/18

Roll Call // [More U.S.-Born Children Could Be Separated From Immigrant Parents](#) // 7/12/18

Politico // [Trump's 'shithole' remarks roil immigration talks](#) // 01/12/18

Politico // [End of TPS program means thousands of Haitians, mainly in Florida, facing deportation](#) // 12/29/17

### **Regional**

CA: KQED // Farida Jhabvala Romero // [California Teen Leads Suit to Keep Hundreds of Thousands of Immigrants in U.S.](#) // 12/21/18

MO: KOMU // [Salvadorans worry about end of Temporary Protected Status](#) // 11/20/18

NC: WUNC // [Haitian Immigrants Who Helped Lift An NC Town Face Deportation](#) // 11/27/18

TX: Houston Chronicle // [End of temporary protected status brings uncertainty in lives of thousands of Houston residents](#) // 7/14/18

FL: The Miami Herald // [Amid call to reunite separated families, a plea to fix TPS for Haitians and others](#) // 6/23/18

TX: Houston Public Media // [Dept. Of Homeland Security Announces End Of Temporary Protected Status For Hondurans](#) // 5/4/18

MN: Twin Cities Pioneer Press // [Liberian deportations could weaken Twin Cities health care workforce](#) // 4/7/18

MN: MinnPost // [Permanently temporary: Liberian case demonstrates perils of relying on U.S. temporary immigration status](#) // 4/6/18

NC: The Charlotte Observer // ['It's a heartbreaking decision.' Immigration change leaves Charlotte families worried](#) // 1/11/18

UT: KUTV // [Salvadoran immigrants in Utah fear deportation after DHS ends protected status](#) // 1/8/18

SC: Citizen Times // [As TPS protection removed for Salvadorans, Asheville residents face deportation](#) // 1/13/18

