



U.S. Citizenship  
and Immigration  
Services

December 28, 2017

Jeanne M. Atkinson, Esq.  
Executive Director  
Catholic Legal Immigration Network Inc.  
8757 Georgia Avenue, Suite 850  
Silver Spring, MD 20910

Dear Director Atkinson:

Thank you for your October 31, 2017 letter. Secretary Nielsen asked that I respond on her behalf.

I appreciate your concern and interest in extending the Temporary Protected Status (TPS) designations for El Salvador and Honduras. The Secretary of Homeland Security's authority to designate or redesignate a country for TPS and to extend or terminate a country's existing designation is based upon specific statutory criteria. *See* 8 U.S.C. § 1254a(b). U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

Under the Immigration and Nationality Act (INA), for the Secretary to extend the existing TPS designations for El Salvador and Honduras, she must find that the conditions for the designations continue to exist (i.e., that there has been an environmental disaster resulting in a substantial, but temporary, disruption of the living conditions in the area affected, and the country is temporarily unable to adequately handle the return of its nationals). If the Secretary determines that the conditions are no longer met with respect to either country, she is required to terminate the designation for that country. *See* 8 U.S.C. § 1254a(b)(1), (3).

At least 60 days before the current expiration date for a TPS designation, the Secretary must review conditions in the foreign state and, after consultation with other appropriate federal agencies, determine whether the statutory conditions for TPS continue to be met. If the Secretary does not determine that the statutory conditions for the designation are no longer met within this timeframe, an automatic extension of the designation is triggered. Former Acting Secretary Duke did not make a determination by the 60-day deadline for Honduras (November 6, 2017), resulting in an automatic 6-month extension of the designation. Details regarding this extension and the process for Honduran TPS beneficiaries to re-register can be found on USCIS' website and in a forthcoming *Federal Register* notice.

El Salvador's TPS designation expires on March 9, 2018. The Secretary will evaluate the designation prior to its expiration and, after consultation with other appropriate federal agencies,

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determine whether another extension, a redesignation, or a termination is warranted, in full compliance with the INA. She will fully evaluate the country conditions and any other factors necessary to determine whether the TPS designation should continue.

Thank you again for your letter and interest in this important issue. The cosigners of your letter will receive separate, identical responses. Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Francis Cissna". The signature is stylized with a large "L" and a cursive "Cissna".

L. Francis Cissna  
Director