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LIUNA!

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October 17, 2017

The Honorable Elaine Duke
Secretary of Homeland Security
Washington, DC 20528

Dear Secretary Duke:

On behalf of the 500,000 men and women of the Laborers' International Union of North America (LIUNA), a union built by and for immigrants, I write to ask you to maintain and extend the Deferred Action for Childhood Arrivals (DACA) program, as well as the Temporary Protected Status (TPS) program. LIUNA supports comprehensive immigration reform but, until Congress acts, we ask that your Administration address DACA and TPS.

DACA recipients, known as Dreamers, work and pay taxes, supporting their families as well as the U.S. economy. These young Americans should not have to live and work in fear of deportation, especially when they have followed the rules. They came to our great country when they were children and need to know that they can continue to stay and work in the U.S. This is often the only home they have known. Dreamers are as American as those born here, except for an immigration status beyond their control. It is about time that they are able to live their lives unburdened by the fear of deportation. They need stability to continue to contribute more fully to our economy, our communities, and our union. Therefore, LIUNA supports continuation of the DACA program to protect this vital young workforce. LIUNA is working closely with Congress to pass the Dream Act, and we call on your Administration to maintain and extend DACA in the event that Congress does not do its job to pass this needed legislation.

Additionally, deadlines are approaching for the removal of workers under TPS for several nations, including Haiti, El Salvador, and Honduras. The end of the TPS program for residents of these distressed nations would have a significantly negative effect on the construction industry. Over twenty percent (20%) of TPS recipients work in the construction industry, most from these three nations. In addition to the devastating impact on these workers and their families, termination of the TPS program would lead to an estimated \$45 billion reduction in the GDP, an immediate \$6.9 billion reduction in tax contributions, and nearly \$1 billion in employer costs. LIUNA supports an additional extension of the TPS program.

Feel the Power



DACA and TPS
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The construction industry needs to retain workers covered by the DACA and TPS programs to continue to build America. It is the right thing to do for these valued immigrants, our union, and our nation's economy. I urge you to exercise your authority to maintain and extend both of these important programs.

With kind regards, I am

Sincerely yours,

A handwritten signature in cursive script that reads "Terry O'Sullivan".

TERRY O'SULLIVAN
General President

rj
opeiu2liuna



U.S. Citizenship
and Immigration
Services

February 5, 2018

Terry O'Sullivan
General President
Laborers' International Union
of North America
905 16th Street, NW
Washington, DC 20006

Dear Mr. O'Sullivan:

Thank you for your October 17, 2017 letter to the Department of Homeland Security. Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designations for Haiti, 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* 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 are no longer met with respect to a country, the Secretary is required to terminate the designation. *See* INA § 244(b)(1),(3).

After considering information from several U.S. Government sources, on November 20, 2017, former Acting Secretary Duke announced the termination of Haiti's TPS designation after determining that the statutory conditions for its 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 will provide time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States. Additional information on the termination of Haiti TPS can be found on the USCIS website and in a notice that was published in the *Federal Register* on January 18, 2018.

Secretary Nielsen decided to terminate the TPS designation for El Salvador after considering information from several U.S. Government sources, with a delay of 18 months to allow for an orderly transition before the designation terminates on September 9, 2019. DHS is

Mr. Terry O'Sullivan

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committed to an orderly transition that will allow time for El Salvador to prepare for the return and reintegration of its citizens. USCIS will work with the State Department and the government of El Salvador to help inform relevant stakeholders in-country and in the United States to ensure an orderly return and reintegration of El Salvador's citizens. 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 in the notice that was published in the *Federal Register* on January 18, 2018.

In regards to Honduras, former Acting Secretary Duke did not make a determination by the 60-day deadline for Honduras (November 6, 2017), resulting in an automatic six-month extension of the designation. Details regarding this extension and the process for Honduran TPS beneficiaries to re-register can be found on the USCIS website and in the *Federal Register* notice published on December 15, 2017.

In accordance with a federal court order, USCIS resumed accepting requests to renew grants of deferred action under DACA on January 10, 2018. For the latest information on DACA, visit USCIS' response to the January 2018 preliminary injunction on its website, available at www.uscis.gov/humanitarian/deferred-action-childhood-arrivals-response-january-2018-preliminary-injunction.

Thank you again for your letter and interest in these important issues. Should you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "LFC", with a stylized flourish at the end.

L. Francis Cissna
Director