



SIMN
Scalabrini International
Migration Network



Catholic
Charities
USA

Working to Reduce Poverty in America

CRS
CATHOLIC RELIEF SERVICES



CATHOLIC LEGAL
IMMIGRATION
NETWORK, INC.

December 20, 2017

The Honorable Kirstjen Nielsen
Secretary, Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, D.C. 20528

VIA EMAIL

2017 DEC 21 AM 11:17
SCANNED/RECEIVED
BY ESEC SEC

RE: EXTENSION OF TPS DESIGNATION FOR EL SALVADOR

Dear Secretary Nielsen,

We, the undersigned, write on behalf of the U.S. Conference of Catholic Bishops' Committee on Migration (USCCB/COM), Catholic Relief Services (CRS), Catholic Charities USA (CCUSA), Scalabrini International Migration Network (SIMN), and Catholic Legal Immigration Network, Inc. (CLINIC) to urge you to extend the Temporary Protected Status (TPS) designation for El Salvador by 18 months. As you know, El Salvador's TPS designation currently extends through March 9, 2018.¹ Pursuant to statutory requirements, a decision to extend or terminate TPS for a designated country must be made at least 60 days prior to the current expiration date.² This letter follows a prior request sent to Acting Secretary Elaine Duke on October 26, 2017, which discussed why an extension of TPS for the country is both warranted and humane and included current country conditions justifying an extension. We hope that you will consider this information as you make your decision by January 8, 2018.

The Catholic Church's deep concern for TPS holders is rooted in Catholic Social Teaching and our experience with welcoming and integrating large populations of immigrants to the U.S. and around the world. The teachings of the Church make clear that all people have the right to migrate to protect their lives and the lives of their families. Under Catholic doctrine, TPS holders, like all immigrants, have the right to safety and to care for their families. And while the Church recognizes the right of nations to regulate their borders, this right must be exercised with justice and mercy and balanced with immigrants' rights to human dignity and life.

In August 2017, a delegation led by the USCCB traveled to El Salvador on a fact-finding mission regarding TPS. Consistent with the long experience of CRS and the local Catholic Church in El Salvador, the report from this delegation overwhelmingly demonstrates that El Salvador is currently not in a position to adequately handle the return of the nearly 200,000 Salvadoran TPS holders from the U.S. The delegation's trip report, [*Temporary Protected Status: A Vital Piece of the Central American Protection and Prosperity Puzzle*](#),³ shows that:

- Entire families, not just children, currently face targeted violence;
- Large numbers of people in El Salvador (approximately 220,000 - 400,000) are internally displaced, illustrating already existing safety issues and the growing humanitarian protection challenges; and

¹ 81 Fed. Reg. 44,645 (July 8, 2016), www.federalregister.gov/documents/2016/07/08/2016-15802/extension-of-the-designation-of-el-salvador-for-temporary-protected-status.

² INA § 244 (b)(3)(A).

³ *Temporary Protected Status: A Vital Piece of the Central American Protection and Prosperity Puzzle*, USCCB/MRS (Oct. 2017), www.usccb.org/about/migration-policy/fact-finding-mission-reports/upload/el-salvador-honduras-report-20171016.pdf.

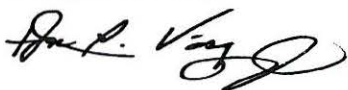
- The Salvadoran government does not currently have the capacity to adequately handle the return of its TPS population. This is evidenced by its failure to address citizen safety and humanitarian concerns related to its large-scale internal displacement, as well as by its lack of an adequate reception, protection, and integration system for internally displaced people and annual returnees (52,560 in 2016).

Even according to the most recent Federal Register Notice extending TPS for El Salvador, the country suffers from widespread housing shortages, lack of access to clean water, disease and food insecurity as a result of the 2001 earthquakes and subsequent natural disasters.⁴

Terminating TPS for El Salvador now would be inhumane and untenable; El Salvador is in no position to accommodate the return of roughly 200,000 Salvadorans. In addition to potentially bringing harm to those returned, terminating TPS for El Salvador would likely destabilize this key strategic, regional partner, undermining the tremendous investments of the U.S. government.⁵ It would also divide American families as many parents would not bring their U.S. citizen children back to the Northern Triangle where they would face acute integration challenges, violence, and potential persecution.

We appreciate your consideration of this request. We ask you to show compassion and patience as El Salvador continues to improve its citizen security and humanitarian capacity for reception, protection, and integration. The Catholic Church stands ready to support measures to protect the well-being and dignity of Salvadoran families here and abroad.

Respectfully submitted,



Most Rev. Joe S. Vásquez
Chairman, USCCB Committee on Migration



Reverend Leonir Chiarello
Executive Director
Scalabrini International Migration Network



Sister Donna Markham OP, PhD
President and CEO
Catholic Charities USA



Jeanne M. Atkinson, Esq.
Executive Director
Catholic Legal Immigration Network Inc. (CLINIC)



Mr. Sean Callahan
President/CEO
Catholic Relief Services

⁴ 81 Fed. Reg. 44,645, *supra* note 1.

⁵ The current administration has thus far budgeted \$1.8 billion to enhance the prosperity, security, and governance of the Northern Triangle, prominently including El Salvador. *Negative Consequences of Ending Temporary Protected Status in El Salvador and Honduras for U.S. Interest in Promoting Prosperity, Security, and Governance in the Northern Triangle*, ALIANZA AMERICAS, EVANGELICAL LUTHERAN CHURCH IN AMERICA, KIND, LATIN AMERICA WORKING GROUP EDUCATION FUND, (Aug. 29, 2017), http://lawg.org/storage/documents/importance_of_TPS_to_U.S._Interests_in_Central_America_public_08_29_17.pdf.



Committee on Migration

c/o Migration and Refugee Services, USCCB

3211 Fourth Street NE • Washington DC 20017-1194

202-541-3065 • fax 202-722-8805 • email mrs@usccb.org • www.usccb.org/mrs

October 10, 2017

Dear Friends,

I am pleased to transmit the following report by Migration and Refugee Services entitled “Temporary Protected Status: A Vital Piece of the Central American Protection and Prosperity Puzzle.”

Temporary Protected Status (TPS) allows individuals to remain and work lawfully in the U.S. during a period in which it is deemed unsafe for these individuals to return to their home country due to natural disaster, armed conflict, or other extraordinary conditions. Currently, there are an estimated 320,000 individuals living in the U.S. with TPS and many have children who are U.S. citizens and some have been here for over twenty years.

Starting this fall, the Administration will make decisions whether to extend TPS for a number of countries, including Honduras, Haiti, and El Salvador. As this report indicates, there is ample evidence to suggest that current TPS recipients from Honduras and El Salvador cannot return safely to their home country at this time. While improvements in the existing protection systems have been made by both Honduras and El Salvador, great concern remains about the ability to ensure protection and safety to those who would be forced to return, as well as to existing vulnerable people currently living in El Salvador and Honduras.

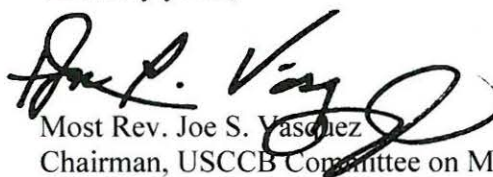
We believe our nation has a moral responsibility to provide continued temporary protection until TPS holders’ return and reintegration can be safely accomplished. TPS recipients are an integral part of the fabric of our community. They worship in our churches, they own homes and businesses and make important contributions to our economy. Extending TPS serves [an important humanitarian role by providing for the safety, well-being and stability](#) of recipients.

TPS is a vital family issue for the Catholic Church and if not extended approximately 270,000 U.S. citizen children face being separated from their families. We want to ensure that families can stay together and that they have a chance to succeed. Separating families and sending people to exploitative situations in the countries where they have never been to or where they have not lived for nearly 20 years is against basic principles of human dignity and mercy.

As Catholics, we uphold justice, the common good and the human dignity of every person. We are also responding to the call of Pope Francis who exhorts all Catholics to act in solidarity with refugees, migrants and all those who seek shelter and safety from the ravages of violence, environmental disasters, hunger and despair.

As you read this report, I urge you to keep the people of El Salvador and Honduras, including TPS recipients, in your thoughts and prayers. I encourage you to engage the Administration in requesting a TPS extension for El Salvador and Honduras so as to ensure continued protection for vulnerable people living in the U.S. I also encourage you to reach out to your elected Congressional leaders to request they support a legislative solution for TPS recipients who have been in the United States for many years. Lastly, I urge you to continue to welcome and accompany TPS recipients and all immigrants and refugees into your communities, places of worship, and homes.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Joe S. Vasquez", with a large, stylized flourish at the end.

Most Rev. Joe S. Vasquez
Chairman, USCCB Committee on Migration



U.S. Citizenship
and Immigration
Services

April 4, 2018

Most Reverend Joe S. Vásquez
Chairman
USCCB Committee on Migration
3211 Fourth Street, NE
Washington, DC 20017

Dear Chairman Vásquez:

Thank you for your December 20, 2017 letter. Secretary Nielsen asked that I respond on her behalf.

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

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 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 on the USCIS website and in the notice that was published in the *Federal Register* on January 18, 2018.

Most Reverend Joe S. Vásquez

Page 2

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

Respectfully,

A handwritten signature in blue ink, appearing to read "L. Francis Cissna". The signature is stylized, with the first letters of the first and last names being prominent and capitalized.

L. Francis Cissna
Director