

# **EXHIBIT 37**

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### **Temporary Protected Status and Following the Law**

**BLUE: The United States has long offered Temporary Protected Status (TPS) to individuals who cannot return to their home countries due to ongoing armed conflict, environmental disaster, or extraordinary and temporary conditions. When the underlying conditions upon which a TPS designation is based continue to exist, the law requires us to extend the country's TPS designation. Equally, when the underlying conditions upon which the TPS designation is based no longer exist, the law requires us to terminate the country's TPS designation. That's the law.**

**First, as the name implies, TPS only allows the United States to grant temporary immigration status to individuals from nations ravaged by war, environmental disasters, or certain other conditions that prevent nationals from being able to return to their home country.**

- Under the Immigration and Nationality Act (INA), the Secretary of Homeland Security may designate a foreign country for TPS.
- Countries can initially be designated for TPS for a period of 6 to 18 months.
- Conditions upon which a TPS designation is based must fall into one, or more, of three categories:
  - Ongoing armed conflict;
  - Environmental disaster; or
  - Extraordinary and temporary conditions.
- TPS beneficiaries are authorized to remain in the United States and receive work authorization and documentation of such for the duration of their status.
- Security and background checks are performed on all TPS applicants.

**However, the law requires that when the conditions prompting a country's designation for TPS no longer exist, the Secretary must terminate the country's TPS designation.**

- Per the statute, TPS was not intended to provide a long-term solution or permanent legal status for foreign nationals in the United States.
- According to the law, at least 60 days before the current expiration date for a TPS designation, the Secretary must review conditions in the foreign country and determine whether the statutory conditions for TPS continue to be met. Based on that review, the Secretary will extend or terminate the country's TPS designation, or, in some cases, make a new designation.
- If the Secretary does not make a determination to extend or terminate a country's TPS designation at least 60 days prior to its expiration, the INA provides for an automatic six-month extension of the designation (or, in her discretion, 12 or 18 months).

**Second, DHS is focused on upholding our humanitarian commitments under U.S. law.**

- For each TPS decision, the Secretary reviews the conditions in the country designated for TPS and determines whether the TPS designation continues to be warranted under the law.
- She carefully considers all available information, including recommendations received as part of an inter-agency consultation process.

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- USCIS conducts regular outreach to community groups, TPS beneficiaries, and other stakeholders, providing guidance and information to local communities and organizations on TPS.
- DHS and the State Department routinely communicate with foreign governments of countries designated for TPS.
- Approximately 437,000 individuals are TPS beneficiaries. Some of these individuals may also have another lawful immigration status or authorization to remain in the United States.

**Third, for beneficiaries whose TPS status is ending, we provide a period of transition before TPS terminates.**

- TPS is a temporary benefit that does not lead to lawful permanent resident status or give any other immigration status.
- Persons with TPS may seek an alternative lawful immigration status for which they are independently eligible.
- Upon termination, TPS beneficiaries revert back to the immigration status they had prior to receiving TPS, or any other status they may have obtained while covered by TPS, unless that immigration status has since expired.
- In cases of termination, DHS has provided appropriate winddown periods for an orderly transition.
- Additionally, DHS has worked with the State Department and governments of countries designated for TPS to ensure they are ready to reintegrate returning citizens.

**Fourth and finally, only Congress can legislate a permanent solution.**

- Only Congress can address the lack of an enduring lawful immigration status for those currently protected by TPS who have lived and worked in the United States for many years.
- For each TPS designation, the Department has simply done what the law requires.

**Upcoming Decisions**

- Currently, there are 10 countries designated for TPS. The countries are South Sudan, Sudan, Somalia, Honduras, Nicaragua, El Salvador, Syria, Haiti, Nepal, and Yemen. TPS for Sudan terminates Nov. 2, 2018, TPS for Nicaragua terminates Jan. 5, 2019, TPS for Nepal terminates June 24, 2019, TPS for Haiti terminates July 22, 2019, and TPS for El Salvador terminates September 9, 2019.
- The following chart provides the timeline for the Secretary's review and decision-making on all of the current TPS designations, as well as the current number of beneficiaries under each designation.

<u>Country</u>	<u>S1 Decision Due</u>	<u>Current Expiration Date</u>	<u>Number of Beneficiaries (Rounded)</u>
Honduras	05/06/2018	07/05/2018	86,000

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<u>Country</u>	<u>S1 Decision Due</u>	<u>Current Expiration Date</u>	<u>Number of Beneficiaries (Rounded)</u>
Yemen	07/05/2018	09/03/2018	1,250
Somalia	07/19/2018	09/17/2018	500
Sudan	N/A	11/02/2018	1,050
Nicaragua	N/A	01/05/2019	5,300
South Sudan	03/03/2019	05/02/2019	75
Nepal	N/A	06/24/2019	14,800
Haiti	N/A	07/22/2019	58,600
El Salvador	N/A	09/09/2019	262,500
Syria	08/01/2019	09/30/2019	7,000

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