

EXHIBIT 113



Homeland Security

October 31, 2017

DECISION

MEMORANDUM FOR THE ACTING SECRETARY

FROM: James D. Nealon
Assistant Secretary for International Affairs
Office of Strategy, Policy, and Plans

SUBJECT: Designation of Temporary Protected Status for Honduras,
Nicaragua, and El Salvador

Purpose: To seek your approval to extend the designation of Temporary Protected Status (TPS) for Honduras, Nicaragua, and El Salvador for 18 months.

Context:

Humanitarian Reasons

In the cases of Honduras and Nicaragua, TPS beneficiaries have by definition been in the United States since at least December 30, 1998; in the case of El Salvador, since at least February 13, 2001. In many cases, TPS recipients have been here longer. In all cases, TPS recipients are not felons – a serious criminal record disqualifies an applicant from TPS status. In addition, data shows that TPS recipients have a very high workforce participation rate, much higher than the national average. TPS recipients have jobs, have gotten married, have many thousands of American citizen children (Salvadorans alone are estimated to have 100,000 American citizen children), work legally in great numbers, pay taxes, own homes, own businesses, and live the American dream minus a path to citizenship. While TPS was always meant to be temporary, it makes no sense to send people back to their country of origin after 20 years or more. Finally, if TPS were terminated we would be taking more than 300,000 people who currently have status and taking them out of status and into the shadows. That is not in our interest.

Working Against Ourselves

The United States is currently investing approximately 700 million dollars annually in Central America, aimed at mitigating the push factors of migration. (Most of this money is directed to Honduras, El Salvador, and Guatemala as Nicaragua receives very little U.S. assistance). The point of this assistance is to reduce the very high levels of violence, improve governance and weak institutions like the police and courts, and create economic opportunities such that Central Americans see their futures at home and not in the United States. Much of this assistance is aimed, directly or indirectly, at improving the ability of these countries to re-integrate their citizens. In the case of Honduras, for example, they received approximately 80,000 returnees in both 2015 and 2016. While willing partners, this massive influx of returnees puts a huge burden

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on employment (large scale unemployment is compounded by the fact that almost 70 percent of Hondurans work in the gray economy), and other weak institutions and services. Adding a huge influx of TPS beneficiaries and their families would strain their system even more and possibly spur further irregular migration to the United States. It is not in our interest to work against ourselves.

Foreign Policy Considerations

For the past three years, we have been deeply engaged with Central America to change the dynamics on the ground that drive migration to the United States. Honduras and El Salvador are very willing partners, and are now investing their own resources to work closely with us to stop the flow of migrants. It is very much in our interest that they continue to do so. Results have been very positive, though there is still a very long way to go. Violence has been reduced, though it is still at intolerably high levels; weak institutions like the police and courts have been bolstered, but they are still very weak and incapable of protecting their own citizens; corruption is still endemic; and their economies are still not capable of creating sufficient jobs and opportunity for their young and growing populations. We are still years away from a Central America in which people see their futures at home and not in the United States, but we are on a path to sustainable growth and improvement. It would not be in the U.S. interest to jeopardize our cooperation and partnership by terminating TPS at this time. Whether it is our intention or not, termination of TPS will send a strong signal that we do not value our partnership, and will lead El Salvador and Honduras to re-evaluate the benefits of their relationship with us. It could affect their policy on removals, which is currently very cooperative; and could also lead them to question policies that are important to us but less important to them, such as extraditions. And finally, and most importantly, it might cause them to re-evaluate their very strong cooperation in trying to curtail irregular migration to the United States.

I would add that Honduras has a Presidential election on November 27, and renewal or not of TPS is an issue in the campaign seen by some as a measuring stick for U.S. – Honduran.

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Recommendation: I recommend that you extend designation of TPS for Honduras, El Salvador, and Nicaragua for 18 months from the date of your decision.

Approve/date Disapprove/date

Modify/date Needs discussion/date