



## Temporary Protected Status for Honduras

The current 6-month grant of Temporary Protected Status, or TPS, for nearly 60,000 Hondurans will expire on July 5, 2018 unless extended by the secretary of Homeland Security.<sup>1</sup> By statute, the DHS Secretary must decide whether to extend, terminate or redesignate TPS for Honduras by May 4, 2018.<sup>2</sup>

### What is TPS?

Temporary Protected Status, or TPS, was established by Congress through the Immigration Act of 1990. TPS is intended to protect foreign nationals in the U.S. from being returned to their home country if it became unsafe during the time they were in the U.S. and would put them at risk of violence, disease or death. Under the law, the secretary of Homeland Security may designate a foreign country for TPS in three scenarios:

1. Ongoing armed conflict (such as a civil war)
2. An environmental disaster (such as earthquake or hurricane), or an epidemic; or

3. Other extraordinary and temporary conditions that prevents nationals from the country from safely returning home.<sup>3</sup>

The country's designation can last as little as six months, the minimum, or as long as 18 months, the maximum. Sixty days prior to the end of an initial designation or re-designation period, the secretary must review the conditions of the foreign country to determine if the unsafe conditions still exist. If conditions continue, the secretary may extend TPS for another six-, 12- or 18-month period. There is no limit on the number of times the secretary may extend TPS, so long as the conditions continue.<sup>4</sup>

Nationals of a TPS-designated country or people without nationality who last resided in a TPS-designated country who were physically present in the U.S. when the designation was made and meet certain requirements may be eligible for TPS. If TPS is granted, the applicant receives protection from deportation and work authorization to support themselves while they remain in the U.S. By statute,

<sup>1</sup> 82 Fed. Reg. 59630 (Jan. 6, 2018), [www.federalregister.gov/documents/2017/12/15/2017-27140/extension-of-the-designation-of-honduras-for-temporary-protected-status](http://www.federalregister.gov/documents/2017/12/15/2017-27140/extension-of-the-designation-of-honduras-for-temporary-protected-status).

<sup>2</sup> INA § 244.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

TPS does not provide a path to lawful permanent resident status or citizenship.<sup>5</sup>

## Why was Honduras designated for TPS?

Honduras was designated for TPS under President Bill Clinton on Jan. 5, 1999.<sup>6</sup> In Oct. 1998, Honduras was devastated by Hurricane Mitch.<sup>7</sup> With 150 mph winds and days of torrential rain, it was one of the most catastrophic hurricanes in modern history.<sup>8</sup> One-fifth of the Honduran population, 1.4 million people, were left homeless.<sup>9</sup> More than 5,600 people were killed.<sup>10</sup> Two-thirds of Honduras' roads and bridges were destroyed, as well as the banana, coffee and other agricultural plantations vital to the Honduran economy.<sup>11</sup> The United Nations reported that Hurricane Mitch set Honduras back 20 years, both socially and economically.<sup>12</sup>

In the most recent extension of TPS for Honduras (July 6, 2016 through Jan. 5, 2018), the U.S. government cited that not only Hurricane Mitch, but subsequent natural disasters prevent the safe return of Honduran TPS holders in the U.S.<sup>13</sup> This includes severe climate fluctuations between drought and flooding and the devastating flooding and landslides resulting from Tropical Storm Hanna in 2014.<sup>14</sup>

## Why should TPS for Honduras be extended?

Honduras remains unable to adequately handle the safe return of 86,000 Honduran TPS holders. Following Tropical Storm Hanna, the country has endured the rise of two mosquito-borne diseases, dengue and chikungunya.<sup>15</sup> In mid-2015, the president of Honduras' medical school declared that public hospitals in the country were failing, barely able to provide basic medical care, let alone face an epidemic.<sup>16</sup>

The country is also dealing with a catastrophic drought, which has led to massive crop losses, food insecurity, loss of employment and further economic depression.<sup>17</sup> The situation is exacerbated by a regional coffee plant disease, known as rust finger or coffee rust, further demolishing one of Honduras' chief crops.<sup>18</sup>

In 2017, Honduran President, Juan Orlando Hernandez, made a public statement at the Conference on Prosperity and Security in Central America that he hopes that the U.S. will extend TPS for Honduras when the current extension ends on Jan. 5, 2018.<sup>19</sup> He stated that he planned to continue engaging with the U.S. on this matter, because "it's

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5 *Id.*

6 64 Fed. Reg. 524 (Jan. 5, 1999), [www.federalregister.gov/documents/1999/01/05/98-34849/designation-of-honduras-under-temporary-protected-status](http://www.federalregister.gov/documents/1999/01/05/98-34849/designation-of-honduras-under-temporary-protected-status).

7 *Rebuilding Honduras After Hurricane Mitch*, PBS NEWSHOUR (March 4, 1999), [www.pbs.org/newshour/bb/latin\\_america-jan-june99-honduras\\_3-4](http://www.pbs.org/newshour/bb/latin_america-jan-june99-honduras_3-4).

8 81 Fed. Reg. 94 (May 16, 2016), [www.federalregister.gov/documents/2016/05/16/2016-11306/extension-of-the-designation-of-honduras-for-temporary-protected-status](http://www.federalregister.gov/documents/2016/05/16/2016-11306/extension-of-the-designation-of-honduras-for-temporary-protected-status).

9 *Rebuilding Honduras After Hurricane Mitch*, PBS NEWSHOUR (March 4, 1999), [www.pbs.org/newshour/bb/latin\\_america-jan-june99-honduras\\_3-4](http://www.pbs.org/newshour/bb/latin_america-jan-june99-honduras_3-4).

10 81 Fed. Reg. 94 (May 16, 2016), [www.federalregister.gov/documents/2016/05/16/2016-11306/extension-of-the-designation-of-honduras-for-temporary-protected-status](http://www.federalregister.gov/documents/2016/05/16/2016-11306/extension-of-the-designation-of-honduras-for-temporary-protected-status).

11 *Rebuilding Honduras After Hurricane Mitch*, PBS NEWSHOUR (March 4, 1999), [www.pbs.org/newshour/bb/latin\\_america-jan-june99-honduras\\_3-4](http://www.pbs.org/newshour/bb/latin_america-jan-june99-honduras_3-4).

12 81 Fed. Reg. 94 (May 16, 2016), [www.federalregister.gov/documents/2016/05/16/2016-11306/extension-of-the-designation-of-honduras-for-temporary-protected-status](http://www.federalregister.gov/documents/2016/05/16/2016-11306/extension-of-the-designation-of-honduras-for-temporary-protected-status).

13 *Id.*

14 *Id.*

15 *Id.*

16 *Id.*

17 *Id.*

18 *Id.*

19 *Press Availability at Conference on Prosperity and Security in Central America* (June 15, 2017), [www.state.gov/secretary/](http://www.state.gov/secretary/)

not only that they are Hondurans, but these are human beings who have families,” speaking to the number of Honduran TPS holders who have U.S. citizen children.

In December 2017, Honduras became further destabilized as the result of the disputed outcome of the presidential election.<sup>20</sup> At least 31 people have died in the clashes between protesters and the Honduran government.<sup>21</sup> The nationwide protests and civilian casualties are ongoing as of late Jan. 2018.<sup>22</sup>

## What is the impact of TPS for Hondurans on U.S. society and the economy?

- TPS provides work authorization for Hondurans who are living and contributing to the U.S. labor market and economy.
- 85 percent of Honduran TPS holders are in the labor force.<sup>23</sup>
- Each year, Honduran TPS holders contribute over \$1 billion in GDP. Over the course of 10 years, those contributions add up to over \$10.9 billion.<sup>24</sup>

- Ending TPS for Hondurans would reduce Social Security contributions by more than \$135 million each year and Medicare contributions by over \$31.7 million each year.<sup>25</sup>
- Ending TPS for Hondurans would result in more than \$233 million in turnover costs, resulting from employers being forced to fire workers they have trained and invested in, and replace them with new, un-trained workers.<sup>26</sup>
- The construction industry and childcare services would be hardest hit by the end of Honduran TPS.<sup>27</sup>
- New York/New Jersey, Miami/Fort Lauderdale, Houston, the Washington metropolitan area, and Los Angeles would be the most impacted areas, with the highest concentrations of Honduran TPS holders.<sup>28</sup>

## What will the impact be if TPS for Honduras is not extended?

Ending TPS for Hondurans living in the U.S. and forcing them to return to Honduras would put 86,000 people at tremendous risk of food and

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[remarks/2017/06/271960.htm](https://www.catholiclegalimmigration.com/remarks/2017/06/271960.htm).

20 Honduras army moves in to quell post-election protests, BBC NEWS (Dec. 12, 2017), [www.bbc.com/news/world-latin-america-42322063](http://www.bbc.com/news/world-latin-america-42322063).

21 Gustavo Palencia, Honduras security forces battle protesters as election chaos lingers, REUTERS (Jan. 20, 2018), [www.reuters.com/article/us-honduras-election/honduran-security-forces-battle-protesters-as-election-chaos-lingers-idUSKBN1F9120](http://www.reuters.com/article/us-honduras-election/honduran-security-forces-battle-protesters-as-election-chaos-lingers-idUSKBN1F9120).

22 Shehab Khan, Deadly violence breaks out during protests against election results in Honduras, THE INDEPENDENT (Jan. 22, 2018), [www.independent.co.uk/news/world/americas/honduras-protests-demonstrators-tear-gas-deadly-violence-juan-orlando-hernandez-salvador-nasralla-a8171066.html](http://www.independent.co.uk/news/world/americas/honduras-protests-demonstrators-tear-gas-deadly-violence-juan-orlando-hernandez-salvador-nasralla-a8171066.html).

23 Robert Warren and Donald Kerwin, *A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti*, JOURNAL ON MIGRATION AND HUMAN SECURITY, Vol. 5 No. 3 (2017), [cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti](https://www.cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti).

24 Amanda Baran, Jose Magana-Salgado and Tom K. Wong, *Economic Contributions by Salvadoran, Honduran, and Haitian TPS Holders*, IMMIGRANT LEGAL RESOURCE CENTER (April 2017) [www.ilrc.org/report-tps-economic-cost](http://www.ilrc.org/report-tps-economic-cost).

25 *Id.*

26 *Id.*

27 Robert Warren and Donald Kerwin, *A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti*, JOURNAL ON MIGRATION AND HUMAN SECURITY, Vol. 5 No. 3 (2017), [cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti](https://www.cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti).

28 Amanda Baran, Jose Magana-Salgado and Tom K. Wong, *Economic Contributions by Salvadoran, Honduran, and Haitian TPS Holders*, IMMIGRANT LEGAL RESOURCE CENTER (April 2017), [www.ilrc.org/report-tps-economic-cost](http://www.ilrc.org/report-tps-economic-cost).

housing insecurity, risk of disease without access to medical care<sup>29</sup> and risk of violence from escalating gang violence in the country.<sup>30</sup> The United Nations estimates that at least 174,000 people have fled gang violence in Honduras since 2010.<sup>31</sup> A 2016 United Nations report said, “Everyone [in the capital of Honduras] has a story about a family whose home has been burned down or a son recruited by the gangs.”<sup>32</sup>

The remittances that Honduran TPS holders in the U.S. send home to family and friends in Honduras are crucial to Honduras’ economy and people.<sup>33</sup> In 2016, remittances to Honduras exceeded \$3.8 billion.<sup>34</sup> The majority of remittances are from the U.S. and represent nearly 20% of Honduras’ GDP.<sup>35</sup>

Due to food and housing insecurity, disease, and horrific gang violence in Honduras, Honduran parents (if forced to return to Honduras) would face the excruciating decision of whether or not to bring 53,500 U.S. citizen children with them.<sup>36</sup> In all likelihood, many parents would choose not to put their children in harm’s way, ripping families apart and scarring a generation of Honduran Americans.

## Why is TPS for Honduras in line with our shared values?

The U.S. has a long history of providing relief to victims of catastrophic events, war, violence, and natural disasters. TPS reflects our country’s values by protecting people from unsafe conditions outside of their control.

Americans hold themselves to high standards when it comes to the humane treatment of people. U.S. immigration law, including TPS, reflects respect for the lives of people who, without protection, would be returned to hazardous, if not deadly, circumstances.

Our faith and values demand that the U.S. extend TPS to protect the lives and dignity of Honduran TPS recipients. Continued TPS for Honduras satisfies our moral and international obligations until greater progress is made to ensure innocent people are not returned to dangerous conditions.

TPS embodies core tenets of Catholic social teaching on immigration. People have the right to migrate to sustain their lives and the lives of their families and a country must regulate its borders with justice and mercy.<sup>37</sup>

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29 81 Fed. Reg. 94 (May 16, 2016), [www.federalregister.gov/documents/2016/05/16/2016-11306/extension-of-the-designation-of-honduras-for-temporary-protected-status](http://www.federalregister.gov/documents/2016/05/16/2016-11306/extension-of-the-designation-of-honduras-for-temporary-protected-status).

30 Zach Dyer, *Gang threat drives growing displacement inside Honduras*, UN HIGH COMMISSIONER FOR REFUGEES, (Sept. 5, 2016) [www.unhcr.org/en-us/news/stories/2016/9/57c8392e4/gang-threat-drives-growing-displacement-inside-honduras.html](http://www.unhcr.org/en-us/news/stories/2016/9/57c8392e4/gang-threat-drives-growing-displacement-inside-honduras.html).

31 *Id.*

32 *Id.*

33 Manuel Orozco, Laura Porras and Julia Yansura, *The Continued Growth of Family Remittances to Latin America and the Caribbean in 2015*, INTER-AMERICAN DIALOGUE, (Feb. 2016) [www.thedialogue.org/wp-content/uploads/2016/02/2015-Remittances-to-LAC-2122016.pdf](http://www.thedialogue.org/wp-content/uploads/2016/02/2015-Remittances-to-LAC-2122016.pdf).

34 Remittances to Latin America and the Caribbean in 2017, The Dialogue (Jan. 24, 2018), [www.thedialogue.org/resources/remittances-to-latin-america-and-the-caribbean-in-2017](http://www.thedialogue.org/resources/remittances-to-latin-america-and-the-caribbean-in-2017).

35 *Id.*

36 Robert Warren and Donald Kerwin, A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti, *Journal on Migration and Human Security*, Vol. 5 No. 3 (2017), [cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti](http://cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti).

37 Catholic Social Teaching on Immigration, [www.usccb.org/issues-and-action/human-life-and-dignity/immigration](http://www.usccb.org/issues-and-action/human-life-and-dignity/immigration).