



November 13, 2017

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The Honorable Elaine Duke
Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20016

Dear Secretary Duke:

I write today on behalf of the FCA International (FCA) Contractors urging your Department under section 8 U.S. Code § 1254 to continue to extend Temporary Protected Status (TPS) for those nearly 150,000 families who are working in the United States from countries currently designated for TPS.

FCA International, an international contractor trade association representing more than 7,000 employers engaged in industrial coating, painting and wallcovering, architectural glass and metal, drywall finishing, flooring, and sign and display work, is the nationally-recognized voice of the finishing construction industry that employs over 100,000 employees annually impacting buildings and communities across the United States. FCA and its affiliates are dedicated to enhancing the industry through continuing education, labor relations, safety codes, standards development, and government relations.

While each country, currently designated for TPS, has its own individual reasons for receiving this status, FCA believes that the displaced TPS recipients are here seeking a better future for their families while filling a vital need in the construction industry.

Extending TPS status will allow displaced TPS workers to continue to legally work, contribute to our communities in an authorized capacity, and live with dignity. Many displaced TPS recipients, who have been allowed to live and work in the U.S. under these programs, have found employment within the construction industry; it is reported that 23 percent of these recipients work in the construction industry.

I am advised that FCA contractors employ many of these individuals who are upstanding workers and community members. Our contractors take pride in their employees' heritage and believe that they are playing a role in rebuilding families and workers' livelihoods.

I respectfully urge you to limit the disruption for the construction contractors employing thousands of displaced TPS workers. With the current and forecasted construction market booming, we need all the skilled workers we can find, removing the tens of thousands of TPS recipients residing and working in the United States, could be devastating to the construction industry at a critical point.

Thank you for your consideration, and should you have any questions please do not hesitate to contact me at (630) 537-1042.

Respectfully,

Anthony D. Darkangelo
Chief Executive Officer



U.S. Citizenship
and Immigration
Services

June 11, 2018

Mr. Anthony D. Darkangelo
Chief Executive Officer
FCA International
1 Parkview Plaza, Suite 610
Oakbrook Terrace, Illinois 60181

Dear Mr. Darkangelo:

Thank you for your November 13, 2017 letter to the Department of Homeland Security. Secretary Nielsen asked that I respond on her behalf.

The Secretary of Homeland Security's authority to designate a country for Temporary Protected Status (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.

Prior to the current expiration date for an existing TPS designation, the Secretary of Homeland Security reviews conditions in the foreign country and, after consultation with other appropriate federal agencies, determines whether the statutory conditions for TPS continue to be met. Under the INA, if the Secretary determines that the conditions for designation continue to be met with respect to a given country, the Secretary extends the designation. But if the Secretary determines that the conditions are no longer met with respect to that country, she is required to terminate the designation. Additional information regarding TPS designations is available in the *Federal Register* and on the USCIS website. Recent TPS decisions are the subject of ongoing litigation; therefore, we are unable to comment further.

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

Respectfully,

A handwritten signature in black ink that reads "L. Francis Cissna".

L. Francis Cissna
Director