

Exhibit 1

From: S2ECD [REDACTED]
Sent: Monday, November 6, 2017 3:23 PM
To: Kelly, John F. EOP/WHO <[REDACTED]>
Cc: S2ECD <[REDACTED]>
Subject: TPS

Chief, my decisions on TPS were made late yesterday based on the many reports I received last week – over a 100 pages of documentation and perspective. They are:

- Terminate TPS for Nicaragua. The advice and reporting I received on Nicaragua was unanimous. The effective termination date is 18 months from today. That will allow time for the affected persons and families to find other paths to stay in the United States or return to Nicaragua. Like we have discussed before, the best resolution is for Congress to act for the TPS recipients to provide an appropriate path. We will be working with Congress on this and the immigration priorities.
- Extension of 6 month under a “No decision” for Honduras. Much of the documentation I received within the last 5 days is conflicting and I have not had sufficient time to deconflict it. The Dept. of State reports says the country conditions do not exist, but it also states that that Honduras is unable at this time to adequately hand the return of their 86,000+ nationals. It also lists key concerns related to Honduras under the discretionary factors section of the report. Additionally, I received multiple intelligence reports late last week that indicate a TPS termination for Honduras could have strong consequences for other immigration, TCO, and drug reduction priorities. I want to understand this better so I can adequately determine the appropriate plan and path for termination. Also, given our partnership on the stated key Administration priorities, I think it is important to develop and execute the plan with the partner country, to the maximum extent possible. I intend to immediately engage Honduras to begin the discussion and planning process. This decision is a strong break with past practice and sends a strong message that this Administration will no longer routinely end TPS with little for the statute. By not affirmatively extending, I’m stating that I’m not satisfied that the country conditions remain – but not yet sure how to best end TPS for this country.

These decisions along with the public statements will send a clear signal that TPS in general is coming to a close. I believe it is consistent with the President’s position on immigration, puts us in the best position to work with Congress to address the DACA and TPS recipients, and protects our tenuous situation on immigration, TCO, and drug reduction priorities with the Northern Triangle (and by “side effect” Mexico per the Ambassador there).

These decisions were not made for fear of criticism, every decision I make receives criticism. I take seriously my role as Deputy and currently acting Secretary and would not make a decision based on anything but the facts. While some are portraying this differently, this decision is really just a difference in strategy to get to the President’s objectives. I truly believe this is the right path. And my record should stand for itself.

Elaine C. Duke
Acting Secretary, Department of Homeland Security
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