

**Senator Thomas R. Carper**  
**Additional Post-Hearing Question for the Record**  
**Submitted to Kirstjen M. Nielsen**

**Nomination of Kirstjen M. Nielsen to be Secretary of the Department of Homeland Security**  
**Wednesday, November 8, 2017**

1. The Washington Post has reported that the President's chief of staff, John Kelly and top homeland security advisor, Tom Bossert, had unsuccessfully pressured Acting Homeland Security Secretary Elaine Duke to reverse a decision she had made to extend the residency permits given to certain Honduran citizens living in the United States under Temporary Protected Status due to conditions in their home country. It is my understanding based on reports that Acting Secretary Duke intends to take additional time to further study the Hondurans' status, and that her decision to do so is within the law and consistent with the statutory authority granted to her as the acting head of DHS.

- a) Do you agree with Acting Secretary Duke's decision?

*Given my nomination status, I am not familiar with the specific information Acting Secretary Duke reviewed to arrive at her decision. By law, the decision is within the DHS Secretary's authority and responsibility to make and I have no reason to doubt that she reviewed all appropriate information in accordance with the law in making her decision.*

- b) If confirmed, how would you balance the views of the President and his senior staff with your statutory obligations on this matter and others where you might disagree?

*I believe it is my duty to always make determinations that are in the best interest of the United States pursuant to the law. As discussed elsewhere, I also believe that it is my duty to give my best advice and counsel to the President and all government officials and to ensure that all decisions of which I am a part are fully informed by facts and made pursuant to the law. Should I be confirmed, I will endeavor to always meet all of the Secretary's obligations to make timely, fact informed and fully considered- including any and all appropriate consultations with stakeholders within the interagency, Congress and the private sector- decisions.*

- c) If confirmed, what steps would you take to examine the status of Honduran TPS recipients in the United States, and also that of other TPS recipients from El Salvador and Haiti that you would be required to make decisions on, as well?

*Should I be confirmed, in reviewing any TPS related decision, I will consult with the State Department, DHS leadership, and other experts to ensure that I fully understand all legal TPS considerations to include the country conditions.*

- d) If confirmed, how will the ability of TPS-designated countries to absorb TPS recipients who become deportable from the United States factor into your decision to extend or end TPS designations for any given country?

*Should I be confirmed, I will assess all facts pursuant to the law.*

- e) If confirmed, will you commit to ensuring that TPS recipients who have not committed crimes other than immigration or civil violations will not become ICE enforcement priorities once their designation ends?

***It is my understanding that it is current DHS policy that enforcement priorities focus on those here illegally who have committed crimes. I do not intend to change that enforcement priority. Should I be confirmed, I will work with Acting Director Homan to ensure that enforcement priorities are clearly articulated.***

2. Are you aware of any plans by any senior DHS officials to leave the Department should you be confirmed?

***No.***