

KIRSTEN GILLIBRAND
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United States Senate

WASHINGTON, DC 20510-3205

COMMITTEES:
ARMED SERVICES
ENVIRONMENTAL AND PUBLIC WORKS
AGRICULTURE
SPECIAL COMMITTEE ON AGING

October 30, 2020

Kenneth T. Cuccinelli
Senior Official Performing the Duties of the Director,
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW
Washington, DC 20001

Joseph Edlow
Deputy Director for Policy
U.S. Citizen and Immigration Services
20 Massachusetts Avenue NW
Washington, DC 20001

Dear Mr. Cuccinelli and Deputy Director Edlow,

We write to inquire about the U.S. Citizenship and Immigration Services' (USCIS) failure to properly implement the most recently announced extension of Temporary Protected Status (TPS) for South Sudan.

USCIS recently announced that TPS for South Sudan would be extended, but not re-designated, through May 2, 2022. However, USCIS and the U.S. Department of Homeland Security (DHS) have failed to:

- Publish a Federal Register notice regarding the extension, which is a legal requirement to successfully extend TPS;
- Update the [South Sudan TPS portion of the USCIS website](#) with an announcement of the extension, aside from a [short note](#) on its main TPS webpage; and
- Engage in any sort of comprehensive outreach or educational campaign regarding the latest extension for stakeholders and community-based organizations, including legal service providers.

These errors and omissions are particularly important because TPS for South Sudan technically expires on **November 2, 2020** without an official Federal Register notice, the important tool that is used to automatically extend work permits for South Sudanese TPS holders while they file for re-registration and await approval. The lack of public outreach or correct information will no doubt confuse South Sudanese TPS holders and potentially decrease those who ultimately seek and obtain re-registration.

We write to your office to request that:

1. The South Sudan TPS Federal Register notice be immediately published, automatically extending EADs and TPS for South Sudan for 1 year. The standard 180-day extension is inadequate due to USCIS processing times and the ongoing pandemic.
2. The USCIS South Sudan TPS webpage be immediately updated to include detailed information about the extension and requirements.
3. USCIS engage in an outreach campaign, including social media, direct outreach to CBOs and legal representatives, and a stakeholder engagement call, to ensure that the impacted community and practitioners have access to the information they need on any re-registration requirements and to avoid fraud.

Sincerely,

A handwritten signature in blue ink that reads "Kirsten Gillibrand". The signature is fluid and cursive, with the first name "Kirsten" and last name "Gillibrand" clearly distinguishable.

Kirsten Gillibrand
United States Senator



U.S. Citizenship
and Immigration
Services

November 18, 2020

The Honorable Kirsten Gillibrand
United States Senate
Washington, DC 20510

Dear Senator Gillibrand:

Thank you for your October 30, 2020 letter regarding extension of Temporary Protected Status (TPS) for South Sudan.

The Department of Homeland Security has extended the TPS designation for South Sudan for 18 months from Nov. 3, 2020, through May 2, 2022. The extension allows currently eligible TPS beneficiaries to retain TPS through May 2, 2022, so long as they otherwise continue to meet the individual eligibility requirements for TPS. The 60-day re-registration period runs from Nov. 2, 2020, through Jan. 4, 2021.

Given the time frames for processing TPS re-registration applications, U.S. Citizenship and Immigration Services (USCIS) has automatically extended the validity of certain Employment Authorization Documents (EADs) issued under the TPS designation for South Sudan through May 1, 2021.

A Federal Register Notice regarding the TPS designation for South Sudan was released on November 2, 2020. Please refer to 85 FR 69344, dated Nov. 2, 2020. A courtesy copy of this notice has been provided to your office. USCIS has updated all of its relevant public-facing webpages with this information, including a web alert at the top of the official USCIS web page on TPS.

Thank you again for your letter. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Respectfully,



Joseph B. Edlow
Deputy Director for Policy