

# Congress of the United States

Washington, DC 20515

June 9, 2023

The Honorable Joseph R. Biden, Jr.  
President of the United States  
The White House  
1600 Pennsylvania Ave NW  
Washington, DC 20500

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
Washington, DC 20528

The Honorable Ur Jaddou  
Director  
U.S. Citizenship and Immigration Services  
5900 Capital Gateway Drive  
Camp Springs, MD 20746

Dear President Biden, Secretary Mayorkas, and Director Jaddou:

We write today to urge the administration to expeditiously utilize its statutory authority to redesignate, for Temporary Protected Status (TPS), Venezuelan nationals who have been continuously residing or physically present in the United States since May 2023.

Venezuela is currently in the midst of an unprecedented social, economic, and humanitarian collapse that has resulted in over 7 million Venezuelans fleeing the country since 2015.<sup>1</sup> In turn, the United Nations High Commissioner for Refugees (UNHCR) has categorized the situation in Venezuela as the “largest external displacement crisis in the world,” second only to Ukraine.<sup>2</sup> These immigrant families have continually fled escalating violence, economic insecurity, malnutrition, and absences of medicine and essential services in Venezuela,<sup>3</sup> brought about by what economists from Harvard University and the International Monetary Fund have described as the “single largest economic collapse outside of the war in [over 40] years.”<sup>4</sup> In reflection of this, the New York Times has documented how “tens of thousands” of Venezuelan migrants—often families with children—have crossed rivers, scaled mountains, and traversed the Darien Gap in hopes of reaching safety in the U.S.<sup>5</sup> In light of this ongoing situation, it is our view that the U.S. should treat these Venezuelan migrants with the utmost compassion, dignity, and respect.

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<sup>1</sup> Vanessa Buschschlüter, *Venezuela crisis: 7.1m leave country since 2015*, BBC News (Oct. 17, 2022), <https://www.bbc.com/news/world-latin-america-63279800>.

<sup>2</sup> *Venezuela Situation*, UNHCR (last updated March 2023), <https://www.unhcr.org/en-us/venezuela-emergency.html>.

<sup>3</sup> Julie Turkewitz, *In Record Numbers, Venezuelans Risk a Deadly Trek to Reach the U.S. Border*, N.Y. Times (Oct. 7, 2022), <https://www.nytimes.com/2022/10/07/world/americas/venezuelan-migrants-us-border.html>.

<sup>4</sup> Anatoly Kurmanaev, *Venezuela's Collapse Is the Worst Outside of War in Decades, Economists Say*, N.Y. Times (May 17, 2019), <https://www.nytimes.com/2019/05/17/world/americas/venezuela-economy.html>.

<sup>5</sup> Turkewitz, *supra* note 3.

Congress has provided the Secretary of Homeland Security with the statutory authority to designate or redesignate a foreign state for TPS.<sup>6</sup> Currently, immigrants from sixteen countries, including Venezuela, have been designated for TPS by U.S. Citizenship and Immigration Services (USCIS), subject to various parameters.<sup>7</sup> However, under Venezuela's present TPS designation, Venezuelan immigrants who arrived in the U.S. after March 8, 2021, remain ineligible to apply for or receive TPS in the U.S.—even if they meet all other TPS eligibility criteria.

Although TPS is only available for Venezuelans who have maintained a continuous physical residence in the U.S. since before March 9, 2021, the conditions that led to the previous designation of Venezuela for TPS have continued to worsen. The ongoing humanitarian crisis in Venezuela warrants a favorable exercise of discretion for the redesignation of Venezuela for TPS. Therefore, we strongly encourage the administration to redesignate Venezuelans for TPS status by extending TPS eligibility to all Venezuelan nationals who have been in the U.S. since May 2023. We urge you to protect displaced Venezuelans currently residing in the U.S., and we look forward to your prompt response on this matter.

Sincerely,



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Adriano Espaillat  
Member of Congress



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Jesús G. "Chuy" García  
Member of Congress



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Eleanor Holmes Norton  
Member of Congress



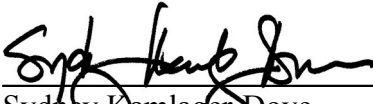
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Jamaal Bowman, Ed.D.  
Member of Congress

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<sup>6</sup> See 8 U.S.C. 1254a(b)(1).

<sup>7</sup> *Temporary Protected Status Designated Country: Venezuela*, USCIS (last updated March 30, 2023), <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-venezuela>.



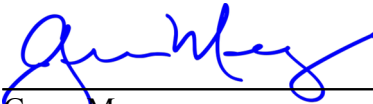
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Sydney Kamlager-Dove  
Member of Congress



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James P. McGovern  
Member of Congress



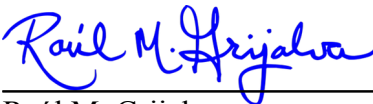
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Grace Meng  
Member of Congress



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Greg Casar  
Member of Congress



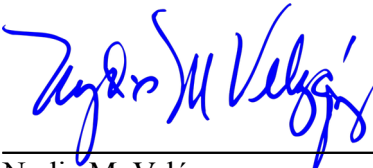
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Raúl M. Grijalva  
Member of Congress



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Rashida Tlaib  
Member of Congress



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Nydia M. Velázquez  
Member of Congress



U.S. Citizenship  
and Immigration  
Services

July 17, 2023

The Honorable Adriano Espaillat  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Espaillat:

Thank you for your June 9, 2023 letter to the Department of Homeland Security (DHS) requesting a redesignation of Venezuela for Temporary Protected Status (TPS). I am responding on behalf of the Department.

I appreciate the concerns that you outlined regarding the situation in Venezuela and your interest in its redesignation for TPS. DHS is committed to administering its programs, including TPS, in an equitable manner and makes decisions regarding TPS designations after consultation with interagency partners and careful consideration of the circumstances, pursuant to specific statutory criteria.<sup>1</sup> As you know, on July 11, 2022, DHS announced the extension of Venezuela's TPS designation for 18 months. This extension will be in effect from Sept. 10, 2022, through March 10, 2024. At least 60 days before the expiration of the TPS extension, the Secretary, after consultation with appropriate U.S. Government agencies, must determine whether Venezuela continues to meet the conditions for designation. Please be assured that DHS continues to monitor conditions in Venezuela.

In addition to TPS, U.S. Citizenship and Immigration Services (USCIS) also offers support that may be available upon request to assist eligible Venezuelan nationals affected by conditions there, including the following:

- Change or extension of nonimmigrant status for eligible noncitizens currently in the United States, even if the request is filed after the authorized period of admission has expired;
- Expedited processing of requests for advance parole documents;
- Expedited adjudication of requests for off-campus employment authorization for F-1 students experiencing severe economic hardship;
- Expedited adjudication of employment authorization applications, where appropriate;
- Assistance if applicants received a Request for Evidence or a Notice of Intent to Deny and were unable to appear for an interview, submit evidence, or respond in a timely manner because of unforeseen circumstances ; and

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<sup>1</sup> See Immigration and Nationality Act sec. 244(b)(1), (b)(3), 8 U.S.C. 1254a(b)(1), (b)(3).

The Honorable Adriano Espaillat

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- Replacement of lost or damaged immigration or travel documents issued by USCIS, such as a Permanent Resident Card (Green Card).

More information on these options is available on our website at <https://www.uscis.gov/newsroom/immigration-relief-in-emergencies-or-unforeseen-circumstances>.

Thank you again for your letter and interest in this important issue. The cosigners of your letter will each receive a separate, identical response. Should you require any additional assistance, please contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a long horizontal flourish.

Ur M. Jaddou  
Director