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February 11, 2022

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
301 7th Street, S.W.
Washington, D.C. 20528

The Honorable Antony Blinken
Secretary
U.S. Department of State
Harry S. Truman Building
2201 C Street, NW
Washington, D.C. 20520

RE: REQUEST FOR 18-MONTH EXTENSION AND REDESIGNATION OF TPS FOR SOUTH SUDAN

Dear Secretaries Blinken and Mayorkas:

The below 154 organizations request an 18-month extension and redesignation of Temporary Protected Status (TPS) for South Sudan. South Sudan's TPS designation is set to expire May 2, 2022 after the Department of Homeland Security's statutory decision date of March 3, 2022, but South Sudan is still under conditions making safe return impossible. New and escalating armed conflict, devastation from environmental disasters, and an intensifying humanitarian crisis presenting extraordinary and temporary conditions qualify South Sudan for extension and redesignation. Both extension and redesignation are vital to safeguard the lives of both current TPS holders and South Sudanese individuals who have arrived in the United States since the last redesignation in 2016. Given current conditions in South Sudan, the maximum protection of an 18-month extension and redesignation is both legally and morally warranted.

By statute, the Secretary of Homeland Security must decide on South Sudan TPS by March 3, 2022. The Secretary is authorized to redesignate a country for TPS and extend a TPS designation simultaneously.¹ We call for a redesignation and extension, publication of a Federal Register Notice, at least a 180-day registration period for both current TPS holders and those who would benefit under redesignation, and launch of a public education campaign to inform the impacted community by that date.

I. Temporary Protected Status

TPS allows people from a designated country to remain in the United States while conditions in their home country make safe return impossible. The Secretary of Homeland Security can designate a country for TPS if the country is experiencing ongoing armed conflict, natural disaster, or other extraordinary and temporary conditions. TPS allows its beneficiaries to stay in the United States during the designation period and to receive work permits. It is a life-saving protection, including for those who are ineligible for or who have been denied asylum but would be in danger if returned to their home country.

¹ U.S. Citizenship and Immigration Services, *Extension and Redesignation of South Sudan for Temporary Protected Status*. 81 Fed. Reg. 4051, 4052, Federal Register, 2016, <https://www.federalregister.gov/d/2016-01388/p-43>.

II. Conditions that Merit Extension of TPS

“[T]he intensity of intercommunal violence increased in 2019 and 2020”²

Violence in South Sudan has only increased since DHS made the above observation in its November 2020 extension of TPS for South Sudan. The Commission on Human Rights in South Sudan warned in February 2021 that “the scope and scale of violence . . . far exceeds the violence between 2013 and 2019” and of “an intensification in attacks against the civilian population by armed groups and militias.”³ The U.S. Ambassador to the United Nations, Linda Thomas-Greenfield, recently expressed concern about localized violence in “the Upper Nile, Unity Warrap, Lakes, Jonglei, and Western and Central Equatoria States,” leading to looting, mass displacement, and hundreds of civilian deaths.”⁴

On March 29, 2021, the Biden administration continued South Sudan’s national emergency declaration, citing, “widespread violence and atrocities, human rights abuses, recruitment and use of child soldiers, attacks on peacekeepers, and obstruction of humanitarian operations.”⁵

“South Sudan continues to experience serious humanitarian conditions”⁶

And conditions persist since DHS’ above finding, inflaming the third largest refugee crisis after Syrian and Afghanistan and largest on the African continent.⁷ As of November 2021, 8.3 million people require humanitarian assistance, up from 7.5 million as of the last extension in November 2020.⁸ Widespread food insecurity, violence, the COVID-19 pandemic, and flooding has contributed to internal displacement, requiring humanitarian relief organizations to increase operations to address food insecurity.⁹

In its November 2020 extension, DHS noted, “[N]early 3.9 million South Sudanese are displaced, a reduction of 330,000 since November 2018, when an estimated 4.2 million South Sudanese were reported displaced.”¹⁰ The number of displaced individuals has risen to 4.3 million, making up for the reduction of 333,000 since November 2018 and surpassing the 4.2 million reported.¹¹ Sixty-three percent of refugees are children.¹²

² U.S. Citizenship and Immigration Services, *Extension and Redesignation of South Sudan for Temporary Protected Status*, 85 Fed. Reg. 69344, 69346, Federal Register, 2020, <https://www.federalregister.gov/d/2020-24238/p-52>.

³ “Despite renewed political commitment, staggering levels of violence continued across South Sudan for the second successive year, UN experts note”, United Nations Human Rights Council, 2021, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26761&LangID=E>.

⁴ Amb. Linda Thomas-Greenfield, U.S. Representative to the U.N., “Remarks at U.N. Sec. Council Briefing on Sudan/South Sudan”, Dec. 15, 2021, <https://usun.usmission.gov/remarks-by-ambassador-linda-thomas-greenfield%E2%80%AFat-a-unscc-briefing-on-sudan-south-sudan/>.

⁵ Executive Office of the President, *Continuation of the National Emergency With Respect to South Sudan*, 86 Fed. Reg. 16665, Federal Register, 2021, <https://www.federalregister.gov/d/2021-06743>.

⁶ U.S. Citizenship and Immigration Services, *Extension and Redesignation*, 2020, 69346.

⁷ “South Sudan Refugee Crisis: Aid, Statistics, and News”, The UN Refugee Agency, <https://www.unrefugees.org/emergencies/south-sudan/>.

⁸ *South Sudan: Humanitarian Snapshot*, UN Office for the Coordination of Humanitarian Affairs, 2021, <https://reliefweb.int/report/south-sudan/south-sudan-humanitarian-snapshot-november-2021>; U.S. Citizenship and Immigration Services, *Extension and Redesignation*, 2020, 69346.

⁹ *Situation in South Sudan: Report of the Secretary-General*, United Nations Security Council, U.N. Doc. S/2021/784 ¶ 31, 2021, https://reliefweb.int/sites/reliefweb.int/files/resources/S_2021_1015_E.pdf.

¹⁰ U.S. Citizenship and Immigration Services, *Extension and Redesignation*, 2020, 69346-47.

¹¹ “South Sudan Refugee Crisis”, The UN Refugee Agency, 2.

¹² *Ibid.*, 2.

“The COVID-19 pandemic has contributed to further increases in the prices of basic food items and a reduction in food imports”¹³

The continuing COVID-19 pandemic has only exacerbated the food insecurity, compounding the problems of providing humanitarian assistance. Reuters reports that,

With COVID-19 came the shrinking of humanitarian aid, a lifeline for many in South Sudan, as faraway donors turned attention and funding toward their own citizens instead. Closed borders cut off imports, and the oil sector on which the economy largely relies was hit hard by a crash in global prices. A lockdown wiped out the informal, untaxed labor and other work that many South Sudanese relied on for their daily meal.¹⁴

Famine-like conditions exist in three South Sudanese states, and sixty percent of the country faces crisis levels of hunger as the pandemic stretches into its second year.¹⁵

Health infrastructure in South Sudan continues to be insufficient, suffering from lack of funding, healthcare workers leaving the field because of poor pay and conditions, and the disruption of services because of violence.¹⁶

III. TPS for South Sudan Must be Redesignated to Protect Human Life

Redesignation is a tool to add or change reasons for a TPS designation and/or provide protection to more recently arrived people by moving forward residence and physical presence requirements. Redesignation serves the purpose and principles that led Congress to create TPS: the U.S. should provide safe haven and not return people to countries where their lives or freedom would be at risk. The need for protection from the conditions in South Sudan is the same whether a person is a current TPS holder or more recently arrived. Redesignation is merited, because conditions meriting TPS have “persisted, and in some cases deteriorated.”¹⁷

South Sudan faces novel conditions meriting redesignation. Apart from the reversal of positive trends in numbers of displaced persons and levels of violence, South Sudan has been devastated by recent flooding. Eight of ten South Sudanese states have experienced torrential flooding,

¹³ U.S. Citizenship and Immigration Services, *Extension and Redesignation*, 2020, 69347.

¹⁴ *For South Sudan mothers, COVID-19 shook a fragile foundation*, AP News, 2021, <https://apnews.com/article/lifestyle-business-health-government-and-politics-coronavirus-pandemic-2d88a1d68bf58e08777952e32503fa3d>.

¹⁵ *The hunger virus multiplies: deadly recipe of conflict, Covid-19 and climate accelerate world hunger* | Oxfam International, OXFAM International, 2021, <https://www.oxfam.org/en/research/hunger-virus-multiplies-deadly-recipe-conflict-covid-19-and-climate-accelerate-world>.

¹⁶ Onen Walter Solomon, “South Sudan's Health Care Remains Inadequate, Officials Say”, *VOA News*, July 5, 2021, <https://www.voanews.com/a/africa-south-sudans-health-care-remains-inadequate-officials-say/6207877.html>.

¹⁷ U.S. Citizenship and Immigration Services, *Extension and Redesignation*, 2016, 4051.

impacting 600,000 people alone since October 2021.¹⁸ This will be the third consecutive year of flooding, with levels breaking records set as long ago as 1962.¹⁹

IV. Extension and Redesignation of TPS for South Sudan is in the United States' Best Interests

The Biden administration has stated that one of its immediate priorities is “championing America’s values and human rights.”²⁰ Extending and redesignating TPS for South Sudan would further America’s values by giving South Sudanese in the United States the stability and safety that they would not experience in South Sudan. Allowing South Sudanese to stay in the United States would demonstrate our commitment to human rights, including the principle of *non-refoulement* that no one should be returned to a country where their life is in danger.

V. Conclusion

We are calling on you to extend for 18 months and redesignate TPS for South Sudan, to publish a Federal Register Notice, and to launch a public information campaign to notify the impacted community of the decision and any actions they must take by the decision’s announcement. Given the COVID-19 pandemic, we call for at least a 180-day registration period for both current TPS holders and those who would benefit under redesignation. Please contact Lisa Parisio at lparisio@cliniclegal.org, Diana Konaté at diana@africans.us, Timantha Goff at Timantha@undocublack.org, and Jill Marie Bussey at jbussey@lirs.org with any questions or to arrange for stakeholder engagement. Thank you.

Sincerely,

National

Adorers of the Blood of Christ, United States Region
Adrian Dominican Sisters
Advocating Opportunity
African Communities Together
African Intercultural Ministries
Alianza Americas
America’s Voice
American Friends Service Committee (AFSC)
American Muslim Bar Association
Asian Americans Advancing Justice (AAJC)
Black Alliance for Just Immigration (BAJI)
Catholic Legal Immigration Network, Inc.
Center for Gender & Refugee Studies
Christian Reformed Church Office of Social Justice
Church World Service
Congregation of Bon Secours, Paris
Congregation of Our Lady of Charity of the Good Shepherd
Congregation of Sisters of St. Agnes
Disciples Immigration Legal Counsel

¹⁸ *South Sudan: Floods - Jun 2019*, Relief Web, 2019, <https://reliefweb.int/disaster/fl-2019-000062-ssd>.

¹⁹ “South Sudan floods wreak havoc on vulnerable communities”, The UN Refugee Agency, 2021, <https://www.unhcr.org/en-us/news/briefing/2021/10/616e89034/south-sudan-floods-wreak-havoc-vulnerable-communities.html>.

²⁰ “The Biden-Harris Administration Immediate Priorities,” The White House, 2021, <https://www.whitehouse.gov/priorities/>.

Dominican Sisters of Mission San Jose
 Empowering Pacific Islander Communities (EPIC)
 Evangelical Lutheran Church in America
 Faith in Public Life
 Familia: Trans Queer Liberation Movement
 Fellowship of Reconciliation (FOR-USA)
 Franciscan Action Network
 Franciscan Sisters of the Sacred Heart
 Friends Committee on National Legislation
 Friends in Solidarity, Inc.
 FWD.us
 Haitian Bridge Alliance
 Hispanic Federation
 Holy Spirit Missionary Sisters, USA-JPIC
 Human Rights First
 ICNA Council for Social Justice
 IHM Sisters of Monroe, Michigan
 Immigrant Legal Resource Center
 Immigration Hub
 International Refugee Assistance Project (IRAP)
 Justice Action Center
 Leadership Conference of Women Religious
 Lutheran Immigration and Refugee Service
 Maryknoll Office for Global Concerns
 National Advocacy Center of the Sisters of the Good Shepherd
 National Council of Churches
 National Council of Jewish Women
 National Employment Law Project
 National Immigrant Justice Center
 National Immigration Law Center
 National Network for Immigrant and Refugee Rights
 North American Climate, Conservation and Environment (NACCE)
 Northeastern University Immigrant Justice Clinic
 Our Lady of Victory Missionary Sisters
 Oxfam America
 Pennsylvania Council of Churches
 Poder Latinx
 Presbyterian Church (USA)
 Presente.org
 RAICES
 Religious of Jesus and Mary
 School Sisters of Notre Dame, Atlantic-Midwest Province
 Service Jésuite aux Migrants Haïti (SJM-Haïti)
 Sisters of St. Francis of Philadelphia Justice and Peace Committee
 Sisters of Charity Federation
 Sisters of Charity of Nazareth Congregational Leadership
 Sisters of Charity of New York
 Sisters of Mercy of the Americas Justice Team
 Sisters of Mercy of the Americas Justice Team
 Sisters of St Joseph of Carondelet
 Sisters of St. Francis, Clinton, Iowa

Sisters of the Holy Cross
Sisters of the Presentation PBVM, New Windsor, NY
SSND Atlantic-Midwest Province
The Episcopal Church
The Leadership Conference on Civil & Human Rights
U.S. Committee for Refugees and Immigrants
U.S. Federation of the Sisters of St. Joseph
UndocuBlack Network
Union for Reform Judaism
Unitarian Universalist Service Committee
Unitarian Universalists for Social Justice
United Stateless
We Are All America
Women's Alliance For Theology, Ethics, and Ritual (WATER)
Working Families United
World Relief

State and Local

Alianza Sacramento
Ascension
Ayuda
Beacon Presbyterian fellowship
CAIR California
Caminando Juntos - Presentation Sisters Hispanic Ministry
Central American Resource Center of Northern CA - CARECEN SF
Centro Legal de la Raza
Centro Romero
Chacon Center for Immigrant Justice at Maryland Carey Law
Church of Our Savior/La Iglesia de Nuestro Salvador
Church Women United in New York State
CLUE Ventura County, CA
Colorado Jobs with Justice
Connecticut Shoreline Indivisible
Cooperative Baptist Fellowship of Texas
Dominican Sisters of Grand Rapids
Dominican Sisters of Houston
Florence Immigrant & Refugee Rights Project
Friends of Broward Detainees
Greater Cleveland immigrant Support Network
Hope Border Institute
Human Rights Initiative of North Texas
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Action Alliance
Immigrant Legal Center
Immigrant Legal Center of Boulder County
International Institute of New England
Jesuit Social Research Institute
Jewish Voice for Peace, Atlanta Chapter
Just Neighbors Ministry
Law Office of Helen Lawrence
Law Office of Peggy J. Bristol

Legal Aid Justice Center
Lutheran Church of Our Redeemer
Make the Road New York
Massachusetts Law Reform Institute
New Hampshire Conference United Church of Christ Immigrant and Refugee Support Group
New York Immigration Coalition
New York Justice for Our Neighbors, Inc.
Northern Illinois Justice for Our Neighbors
Ohio Immigrant Alliance
OneAmerica
Pittsburgh LCLAA
Progressive Leadership Alliance of Nevada
Refugee Children Center, Inc.
Rian Immigrant Center
Rights and Democracy of New Hampshire and Vermont
Seattle Immigrant Rights Action Group
SIREN
Sisters of St. Francis of Perpetual Adoration Justice, Peace and Integrity of Creation
Commission
Sisters of St. Joseph of Boston
Sisters of St. Joseph Office of Justice, Peace, Integrity of Creation
Sisters of St. Joseph TOSF
Sisters of the Humility of Mary
Texas Civil Rights Project
The Legal Project
True Alliance Center, Inc.
University of San Francisco Immigration & Deportation Defense Clinic
University YMCA New American Welcome Center
Wallingford Indivisible
Wayne Action for Racial Equality
WESPAC Foundation, Inc.
Westchester Jewish Coalition for Immigration
Wind of the Spirit Immigrant Resource Center
Women Watch Afrika
Wyoming Coalition Against Domestic Violence and Sexual Assault
Yemeni American Merchants Association



**U.S. Citizenship
and Immigration
Services**

March 9, 2022

Lisa Parisio
Advocacy Director
Catholic Legal Immigration Network, Inc.
lparisio@cliniclegal.org

Dear Ms. Parisio:

Thank you for your February 11, 2022 letter to the Department of Homeland Security (DHS) requesting an 18-month extension and redesignation of Temporary Protected Status (TPS) for South Sudan. Secretary Mayorkas asked that I respond on his behalf.

I appreciate the concerns you have outlined regarding the situation in South Sudan and your interest in its designation for TPS. South Sudan was initially designated on October 13, 2011, on the dual bases of ongoing armed conflict and extraordinary and temporary conditions in South Sudan that prevented nationals of South Sudan from safely returning. Following the initial designation, the Secretary extended and redesignated South Sudan for TPS in 2013, 2014, and 2016. In 2017 and 2019, DHS extended TPS for South Sudan, based on ongoing armed conflict and extraordinary and temporary conditions. Most recently, on March 2, DHS extended South Sudan's TPS designation for 18 months, based on ongoing armed conflict and extraordinary and temporary conditions.

DHS is committed to administering its programs, including TPS, in an equitable manner and makes decisions to extend and redesignate TPS after consultation with interagency partners and careful consideration of the circumstances of the country. We appreciate your interest in this issue and welcome your support in raising awareness amongst the South Sudanese community about the recent extension and redesignation.

Please share this response with the other organizations that cosigned your letter. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

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

Ur M. Jaddou
Director