

United States Senate

WASHINGTON, DC 20510

January 23, 2023

The Honorable Alejandro N. Mayorkas
Secretary
U.S. Department of Homeland Security
245 Murray Lane, SW
Washington, DC 20528

RECEIVED

By ESEC at 1:32 pm, Jan 23, 2023

Dear Secretary Mayorkas,

We write to request that the Department of Homeland Security (DHS) extend Temporary Protected Status (TPS) for Venezuela. Specifically, we request that eligibility be extended for Venezuelan nationals residing in the United States on or before January 23, 2023.

The ongoing humanitarian and political crisis in Venezuela has led to widespread violence, political persecution, food and medicine shortages, and other systemic collapses in vital infrastructure. An estimated 7.1 million Venezuelan refugees have fled the country since the crisis began.¹

In July 2022, DHS extended Venezuela's designation for TPS for 18-months supporting Venezuelans who arrived in the United States prior to March 9th, 2021 and providing them with work authorization and protection from deportation through March 10th, 2024. As evidenced by this decision, your agency has acknowledged that current conditions make it unsafe for displaced Venezuelans to return to the country.

However, the thousands of Venezuelan nationals who have continued to arrive since the July 2022 TPS designation are ineligible for protection despite having fled those same conditions. This includes over 4,000 migrants who have arrived in Colorado since December 2022. While your agency recently implemented a new Parole Process for Venezuelans, many of these individuals began the months-long journey from Venezuela prior to this program becoming available.

In light of this situation and your recognition of the danger Venezuelans could face should they return, we strongly urge you to extend Venezuela's TPS designation to include Venezuelan nationals residing in the United States prior to January 23, 2023.

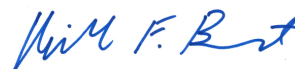
As you know, the situation at the border is a symptom of our broken immigration system. We look forward to working with the administration on comprehensive immigration reform that includes common sense steps to secure the border and a legal pathway for DREAMers, TPS recipients, and essential workers.

Thank you for your consideration of this request.

Sincerely,



John Hickenlooper
United States Senator



Michael F. Bennet
United States Senator

¹<https://www.r4v.info/en/refugeeandmigrants>



U.S. Citizenship
and Immigration
Services

February 21, 2023

The Honorable John Hickenlooper
United States Senate
Washington, DC 20510

Dear Senator Hickenlooper,

Thank you for your January 23, 2023 letter to the Department of Homeland Security (DHS) requesting that eligibility for Temporary Protected Status (TPS) be expanded to Venezuelan nationals who have continuously resided in the United States since January 23, 2023. U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program. Secretary Mayorkas asked that I respond on his behalf.

I appreciate the concerns you have outlined regarding the situation in Venezuela and your interest in granting TPS protections to Venezuelan nationals who have entered the United States since Venezuela was designated for TPS in March, 2021. As your letter acknowledged, on July 11, 2022, after careful consideration, including a thorough review of the country conditions and consultation with interagency partners, Secretary Mayorkas announced the extension of TPS for Venezuela for 18 months, from September 10, 2022, through March 10, 2024. DHS is closely monitoring conditions in Venezuela and shares your concerns about the ongoing situation but did not issue a new designation such that newer arrivals may be eligible. 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 of the country, pursuant to specific statutory criteria. *See Immigration and Nationality Act §§ 244(b)(1) and 244(b)(3)*. As required by the statute, at least 60 days before the expiration of a foreign state's TPS designation or extension, the Secretary, after consultation with appropriate government agencies, must review the conditions in the foreign state to determine whether the conditions for the TPS designation continue to be met. DHS will consult with the Department of State to explore whether to extend and/or redesignate Venezuela for TPS upon the expiration of the current designation in March 2024.

In addition to TPS, USCIS offers support to noncitizens that may be available upon request to assist eligible Venezuelan nationals who have been affected by conditions there, including the following:

- Change or extension of nonimmigrant status if eligible Venezuelan nationals are 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 the conditions in Venezuela; and
- 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 under “Special Situations” on our website at <https://www.uscis.gov/humanitarian/special-situations>.

Thank you again for your letter and interest in this important issue. The cosigner of your letter will receive a separate, identical response. Should you require any additional assistance, please have your staff 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