

**United States Senate**  
WASHINGTON, DC 20510-0908

March 31, 2022

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Avenue NW  
Washington, D.C. 20016

**RECEIVED**

**By ESEC at 9:44 am, Apr 01, 2022**

Dear Secretary Mayorkas:

We write to respectfully request that you redesignate Venezuela for Temporary Protected Status (TPS). Extending this designation is absolutely essential for eligible Venezuelans currently in the United States who are unable to return to their homeland due to the dire conditions in that country.

This month, Interim President of Venezuela, Juan Guaidó, requested that the United States continue TPS for eligible Venezuelans. TPS provides temporary legal status and work authorization for foreign nationals who cannot return to their country of origin, and has historically been implemented in cases of natural disasters, armed conflict, and other extraordinary circumstances. The designation for Venezuela is set to expire in less than six months, but the factors on the ground in Venezuela that led to the designation have only deteriorated since 2021. Under the brutality, incompetence, and deliberate mismanagement of the Maduro regime, Venezuela is not safe for ordinary Venezuelans.

Recently, the Independent International Fact-Finding Mission of the United Nations Human Rights Council concluded that “there are reasonable grounds to believe” that the Maduro regime committed crimes against humanity.” The International Fact-Finding Mission documented that the Maduro regime carried out extra-judicial murders, disappearances, and torture of political opponents. Additionally, since September 2021, the UN High Commissioner for Human Rights found that there had been 93 incidents of criminalization, threats and stigmatization against activists, independent media, and trade union members. Meanwhile, violence in areas near the border with Colombia has increased and has forced the displacement of thousands of Venezuelans. International human rights groups estimated that over the course of 2021, there were at least 254 political prisoners detained across the country.

The Maduro regime’s use of food as a weapon of social and political control has led millions of Venezuelans to suffer from food insecurity. This has only been exacerbated by the regime’s mishandling of the COVID-19 pandemic. More than 6 million Venezuelans have fled the atrocious conditions in the country. Close to 83 percent of them are hosted in Latin America and the Caribbean, straining social protection systems throughout the region. For those Venezuelans forced to return to Venezuela, the threat of harassment, arbitrary harassment, and extrajudicial killings by Maduro’s security services hangs over their head.

Given the Maduro regime's ongoing campaign of state-sanctioned violence against the people of Venezuela and the humanitarian crisis present in the country, we request that you redesignate Venezuela for TPS for an additional 18 months. Failure to do so would result in a very real death sentence for countless Venezuelans who have fled their country.

Thank you for your attention to this critical matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Rubio', with a stylized flourish at the end.

Marco Rubio  
U.S. Senator

A handwritten signature in blue ink, appearing to read 'Robert Menendez', with a stylized flourish at the end.

Robert Menendez  
U.S. Senator

CC: Secretary of State Antony Blinken



U.S. Citizenship  
and Immigration  
Services

May 11, 2022

The Honorable Marco Rubio  
United States Senate  
Washington, DC 20510

Dear Senator Rubio:

Thank you for your March 31, 2022 letter to the Department of Homeland Security (DHS) requesting the redesignation of Venezuela for Temporary Protected Status (TPS). Secretary Mayorkas asked that I respond on his behalf.

I appreciate the concerns you outlined regarding the situation in Venezuela and your interest in its redesignation for TPS. DHS is closely monitoring conditions in Venezuela. Venezuela's current TPS designation became effective March 9, 2021 and is valid through September 9, 2022.<sup>1</sup> DHS makes decisions to designate, extend, or redesignate countries for TPS after consultation with interagency partners and careful consideration of the circumstances, pursuant to specific statutory criteria.<sup>2</sup> As required by the statute, at least 60 days before the expiration of a country's TPS designation or extension, the Secretary of Homeland Security, after consultation with appropriate government agencies, must review the conditions in the foreign state designated for TPS to determine whether the conditions for the TPS designation continue to be met. DHS will consult with the Department of State on the conditions in Venezuela and make the appropriate determination. Deferred Enforced Departure also remains in place for Venezuelan nationals through July 20, 2022.<sup>3</sup>

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

- 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;

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<sup>1</sup> See Designation of Venezuela for Temporary Protected Status and Implementation of Employment Authorization for Venezuelans Covered by Deferred Enforced Departure, 86 FR 13574, March 9, 2021

<sup>2</sup> See Immigration and Nationality Act § 244(b)(1) and 244(b)(3); see also 8 C.F.R. 244, Temporary Protected Status for Nationals of Designated States.

<sup>3</sup> See Designation of Venezuela for Temporary Protected Status and Implementation of Employment Authorization for Venezuelans Covered by Deferred Enforced Departure, 86 FR 13574, March 9, 2021

- 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 natural disaster; 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", with a long horizontal flourish extending to the right.

Ur M. Jaddou  
Director