

# United States Senate

WASHINGTON, DC 20510

June 29, 2018

The Honorable Kirstjen M. Nielsen  
Secretary of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

SCANNED/RECEIVED  
BY EXEC SEC  
2018 JUL -2 AM 10:36

Dear Secretary Nielsen:

I am writing to urge you to extend Temporary Protected Status (TPS) for Yemen until it is safe for Yemeni nationals to return to that country.

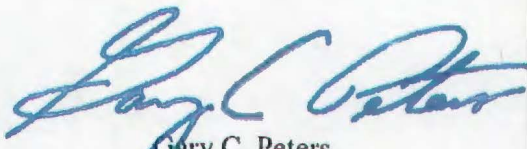
On March 4, 2017, TPS for Yemen was extended through September 3, 2018. The Department of Homeland Security (DHS) noted that "continued deterioration of the conditions for civilians in Yemen...prevent Yemeni nationals from returning to Yemen in safety and it is not contrary to the national interest of the United States to permit Yemeni nationals to remain temporarily in the United States."

The conditions that DHS described in that notice have not improved. Yemen remains in an ongoing armed conflict. The conflict has contributed to a famine that leaves millions of Yemenis without secure access to food. Yemen is experiencing the worst cholera outbreak in modern history, among other diseases that are spreading in the war torn country.

As you know, TPS does not provide a separate path to lawful permanent residence or citizenship and TPS is not available to those who are inadmissible to the United States for criminal or national security reasons. To be eligible for TPS an individual must already have been continuously present in the United States since the effective date of the designation.

At this time, based on the ongoing armed conflict and humanitarian situation we ask you to extend TPS for Yemen.

Sincerely,



Gary C. Peters  
United States Senator



Debbie Stabenow  
United States Senator



U.S. Citizenship  
and Immigration  
Services

July 24, 2018

The Honorable Gary C. Peters  
United States Senate  
Washington, DC 20510

Dear Senator Peters:

Thank you for your June 29, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designation for Yemen. The Secretary of Homeland Security's authority to designate a country for TPS and to extend or terminate a country's existing designation is based upon specific statutory criteria. *See* Immigration and Nationality Act (INA) § 244(b). U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

At least 60 days before the current expiration date for a TPS designation, the Secretary must review conditions in the foreign country and, after consultation with other appropriate federal agencies, determine whether the statutory conditions for TPS continue to be met. Under the INA, if the Secretary determines that the conditions for designation continue to be met with respect to a country, the designation must be extended. However, if the Secretary determines that the conditions are no longer met with respect to a country, the Secretary is required to terminate the designation. *See* INA § 244(b)(1),(3).

On July 5, 2018, after carefully considering relevant conditions in Yemen and the statutory TPS requirements, Secretary Nielsen announced her determination to extend the TPS designation for Yemen for 18 months, through March 3, 2020. Prior to the conclusion of this 18-month extension, the Secretary will review conditions in Yemen and, after consultation with other appropriate federal agencies, determine whether another extension or a termination is warranted, in full compliance with the INA.

Additional information on the extension of TPS for Yemen can be found in Secretary Nielsen's July 5, 2018 announcement of the decision posted on the Department of Homeland Security's website, on the USCIS website, and in a notice that will be published in the *Federal Register*.

The Honorable Gary C. Peters  
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Thank you again for your letter and interest in this important issue. Senator Stabenow, who co-signed your letter, will receive a separate, identical response. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative and Intergovernmental Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in black ink, appearing to read "LFC", with a long, sweeping horizontal stroke extending to the right.

L. Francis Cissna  
Director