



The Honorable Kirstjen Nielsen
Secretary of Homeland Security
U.S. Department of Homeland Security
3801 Nebraska Avenue NW
Washington, D.C. 20528

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

June 28, 2018

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Dear Secretary Nielsen and Secretary Pompeo:

We, the mayors and county executives of the Cities for Action coalition, urge you to extend Yemen's Temporary Protected Status (TPS) designation for a full 18 months and simultaneously re-designate the country for TPS. The same conditions that were the basis for Yemen's initial designation for TPS persist and make it impossible for Yemeni TPS recipients to safely return to Yemen, underscoring the need for both an extension and a re-designation. Cities for Action is a nationwide, bipartisan coalition of cities and counties that advocate for policies that protect and support our immigrant residents. We are gravely concerned that failure to extend TPS for Yemen will force these TPS recipients out of our communities and put them in serious threat to their personal safety.

Safe return to Yemen is impossible due to extraordinary conditions caused by an ongoing civil war. In 2014, the Houthis, an armed insurgent group from northern Yemen, took over Sana'a, the country's capital, and its government, leading to a violent war with the former government. The chaos has allowed terrorist organizations affiliated with al-Qaeda and ISIS to strengthen. The war's effects on civilians are catastrophic; thousands have been killed or injured. Both sides in the war have also used cluster munitions and landmines, weapons banned by international treaties. In recognition of this armed conflict, Yemen was designated for TPS on September 3, 2015, and simultaneously extended and re-designated for TPS on January 4, 2017.

The same conditions that warranted Yemen's TPS designation, extension, and re-designation persist. Yemen is currently experiencing the world's largest humanitarian crisis according to the United Nations, which estimates that 8 million Yemeni are at risk of starvation and almost half of children under 5 are malnourished. Food and other aid have been prevented from reaching Yemeni civilians. Yemen also experiences a cholera epidemic because of widespread lack of access to clean water and to adequate health care facilities. Extension and re-designation are clearly necessary due to the continued deterioration of the conditions for civilians in Yemen and the resulting need to offer protection to individuals who have arrived in the United States after the eligibility cutoff dates established by Yemen's previous designation for TPS on January 4, 2017.



CITIES *for* ACTION

As local leaders, we prioritize the safety and well-being of our residents. Yemen clearly cannot reabsorb its nationals. We call on you to recognize the extraordinary conditions in Yemen and simultaneously extend the country's TPS designation for a full 18 months and re-designate the country for TPS.

Sincerely,

Cities for Action



U.S. Citizenship
and Immigration
Services

July 24, 2018

Mr. Matthew McNally
Director, Cities for Action
NYC Federal Affairs Office
601 New Jersey Avenue, Suite 400
Washington, DC 20001

Dear Mr. McNally:

Thank you for your June 28, 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*.

Mr. Matthew McNally
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Thank you for your letter and interest in this important issue. Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

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

L. Francis Cissna
Director