

EVANGELICAL IMMIGRATION table.

Assemblies of God

Bethany Christian Services

Council for Christian
Colleges and Universities

Ethics and Religious
Liberty Commission of the
Southern Baptist
Convention

Faith and Community
Empowerment

National Association of
Evangelicals

National Hispanic
Christian Leadership
Conference

The Wesleyan Church

World Relief

September 9, 2019

The Honorable Kevin McAleenan
Acting Secretary of Homeland Security
Washington, DC 20528

Dear Acting Secretary McAleenan:

With the situation in Venezuela continuing to deteriorate under the regime of Nicolas Maduro, we are writing to urge you to extend Temporary Protected Status or similar protections to Venezuelans who are currently present in the United States. Given the situation of political repression, shortages of food, water, gasoline and medicine, and state-sponsored violence toward political dissidents, we believe it would be inhumane to require Venezuelans to return to their country at this time, even as millions have fled to neighboring countries.

This is precisely the sort of situation for which Congress created Temporary Protected Status in 1990, entrusting the Administration with the discretion to provide temporary legal status and work authorization to individuals from a particular country facing a humanitarian crisis. TPS would allow Venezuelans already in the United States – whether on a temporary visa or out of status – to stay and work lawfully on a temporary basis, until conditions have improved. To qualify, individuals would need to pass a criminal background check and register with the government. TPS beneficiaries generally do not qualify for public benefits, but with employment authorization they can both meet key needs in the U.S. labor market and contribute as taxpayers to the United States. Many also send part of their earnings back to family members remaining in Venezuela, where it has become increasingly difficult to survive without remittances from abroad.

Our concern for the welfare of the Venezuelan people is rooted in our Christian faith. As evangelical Christians, we believe that each human life is made in God's image with inherent dignity and that God commands his people to care for the poor and oppressed. As a country that has been blessed by God with resources and opportunities – including record low unemployment – we believe the U.S. has a responsibility to stand with those facing oppression and hardship in other parts of the world, just as we have done at key moments throughout our history.

Local churches throughout the United States are already eagerly supporting individuals from Venezuela within their communities, but only the U.S. government can grant the work authorization and legal protections that would allow them to lawfully provide for themselves and to live without fear of deportation. At present, many Venezuelans within our churches feel deeply conflicted as their temporary visas reach their expiration: they want to respect the law, but they also know that to return at this moment to Venezuela may mean

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subjecting themselves and/or their families to hunger, deprivation and a high risk of violence.

We urge you to extend Temporary Protected Status to qualifying Venezuelans presently in the country. As you consider this important decision, we are praying that God would grant you wisdom.

Sincerely,

Leith Anderson, President, National Association of Evangelicals

Scott Arbeiter, President, World Relief

Doug Clay, General Superintendent, Assemblies of God USA

Shirley V. Hoogstra, President, Council for Christian Colleges and Universities

Hyepin Im, President & CEO, Faith and Community Empowerment

Jo Anne Lyon, Ambassador, General Superintendent Emerita, The Wesleyan Church

Russell Moore, President, Ethics & Religious Liberty Commission of the Southern Baptist Convention

Chris Palusky, President & CEO, Bethany Christian Services

Samuel Rodriguez, President, National Hispanic Christian Leadership Conference

CC: President Trump, Vice President Pence, Secretary Pompeo



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

October 24, 2019

Mr. Leith Anderson
President
National Association of Evangelicals
The Evangelical Immigration Table
PO Box 23269
Washington, DC 20026

Dear Mr. Anderson:

Thank you for your September 9, 2019, letter. Acting Secretary McAleenan asked that I respond on his behalf.

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

After consultation with appropriate federal agencies, the Secretary may designate any foreign state (or any part of such foreign state) for TPS only if: (1) there is an ongoing armed conflict within the country that would pose a serious threat to the personal safety of the country's nationals if they were returned; (2) there has been an environmental disaster resulting in a substantial, but temporary, disruption of the living conditions in the area affected, the country is temporarily unable to handle adequately the return of its nationals, and the country has officially requested TPS designation; or (3) there exist extraordinary and temporary conditions in the country that prevent nationals from returning in safety, and the Secretary does not find that permitting the country's nationals to remain temporarily in the United States would be contrary to the national interest of the United States. *See* INA § 244(b)(1). Because TPS is discretionary, even if the Secretary determines that conditions in a country meet one or more of the prongs for TPS, he or she may still decline to designate that country.

I would further note that a separation of powers concern has arisen that affects TPS. As long as courts continue to exceed their jurisdiction and displace executive branch authority to terminate TPS, it makes a decision to exercise the discretion in the first place considerably more complicated and more akin to a permanent status. Until such time as federal courts resume following federal law, USCIS will not recommend new TPS designations.

Mr. Leith Anderson

Page 2

The U.S. Government continues to monitor the humanitarian situation in Venezuela. And for your information, there may be immigration relief measures available to Venezuelan nationals who are present in the United States and affected by the current conditions in Venezuela. Information on these options can be found at www.uscis.gov/humanitarian/special-situations.

Thank you again for your letter and interest in this important issue. Please feel free to share this information with the co-signers of your letter. Should you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Ken C II". The signature is stylized, with a large "K" and a "C" followed by a Roman numeral "II".

Ken Cuccinelli II
Acting Director