

Congress of the United States
Washington, DC 20515

May 10, 2019

The Honorable Kevin McAleenan
Acting Secretary
Department of Homeland Security
Washington, D.C. 20528

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2019 MAY 13 PM 12:45

Dear Acting Secretary McAleenan:

We write to express deep concern over the worsening political, economic, and humanitarian crises in Venezuela. Venezuela is experiencing extraordinary conditions that prevent the safe return of many of the country's citizens.¹ Over 3.4 million Venezuelans have fled their homes to escape the growing humanitarian emergency.² Given the grave state of affairs, we strongly urge the immediate granting of temporary protected status ("TPS") to Venezuelan nationals currently in the United States.

Maduro's regime has plunged Venezuela into catastrophe. The poverty rate in Venezuela is soaring and the nation's health system is near collapse.³ Nearly a third of Venezuelan physicians have fled the country, and an astounding 79% of hospitals are experiencing shortages in supplies to assist the country's mounting medical needs.⁴ This dire situation is only exacerbated by massive food and water shortages – malnutrition is widespread, especially among children and pregnant women.⁵ Frequent nationwide blackouts contribute to the deterioration of already impoverished communities.⁶ These power outages, including one that left the entire country without electricity for six days, often leave millions without light, fuel, refrigeration, water, public transportation, or hospital systems.⁷ This is one of the worst humanitarian crises in the Western Hemisphere.

It is unclear what comes next for the country and government of Venezuela. What is clear, however, is that the United States must act to protect Venezuelans until they may safely return home. A TPS designation for Venezuelans currently residing in the U.S. would keep families from returning to a life-threatening situation within their home country – a situation that is worsening

¹ 8 U.S.C. § 1254a(b)(1)(C) (The Attorney General may designate temporary protected status to any foreign state if "the Attorney General finds that there exist extraordinary and temporary conditions in the foreign state that prevent aliens who are nationals of the state from returning to the state in safety....").

² *'Protracted crisis' in Venezuela leads to 'alarming escalation of tensions': UN political chief*, UN News (Feb. 26, 2019), <http://news.un.org/en/story/2019/02/1033612>.

³ *See Venezuela's Humanitarian Emergency: Large Scale UN Response Needed to Address Health and Food Crises*, Human Rights Watch & Johns Hopkins - Bloomberg School of Pub. Health (Apr. 2019).

⁴ *Id.* at 16.

⁵ *Id.* at 5, 26.

⁶ *See* Mary Beth Sheridan & Mariana Zuniga, *Rotting Food and Endangered Patients: How Venezuelans are Faring During Continuing Nationwide Power Outages*, WASH. POST, Mar. 10, 2019; Nicholas Casey, *Venezuela was Crumbling. A Blackout Tipped Parts of It into Anarchy*, N.Y. TIMES, Mar. 15, 2019.


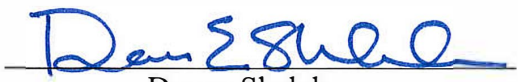

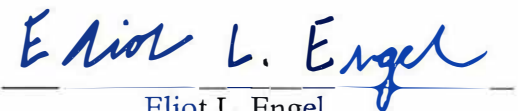


⁷ *Id.*

each day. Indeed, the Venezuelan crisis is exactly the type of scenario for which the TPS statute was designed.

As a beacon of freedom and democracy within our global community, it is the duty of the United States to protect these vulnerable communities. We urge you to immediately designate TPS for Venezuelan nationals.

Thank you for your consideration of this request.

Sincerely,


Debbie Mucarsel-Powell
Member of Congress
Darren Soto
Member of Congress
Donna Shalala
Member of Congress
Debbie Wasserman Schultz
Member of Congress
Mario Diaz-Balart
Member of Congress
Ted Deutch
Member of Congress
Eliot L. Engel
Member of Congress
Joaquin Castro
Member of Congress
Kathy Castor
Member of Congress
Alcee L. Hastings
Member of Congress


M.C.

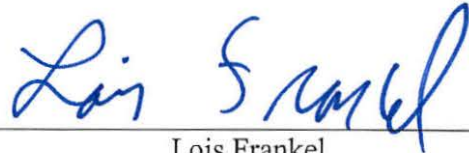
Frederica S. Wilson
Member of Congress



Al Lawson
Member of Congress



Stephanie Murphy
Member of Congress



Lois Frankel
Member of Congress



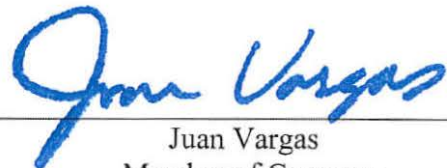
Michael Waltz
Member of Congress



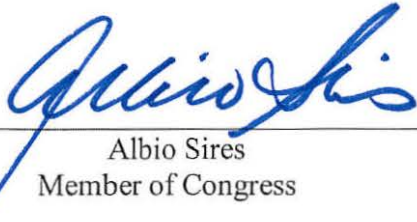
Adriano Espaillat
Member of Congress



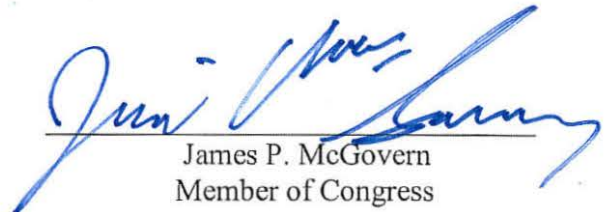
David Cicilline
Member of Congress



Juan Vargas
Member of Congress



Albio Sires
Member of Congress



James P. McGovern
Member of Congress



Grace F. Napolitano
Member of Congress



Linda Sánchez
Member of Congress



Sylvia García
Member of Congress



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

June 7, 2019

The Honorable Debbie Mucarsel-Powell
U.S. House of Representatives
Washington, DC 20515

Dear Representative Mucarsel-Powell:

Thank you for your May 10, 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 (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

After consultation with appropriate agencies of the Government, 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 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 there 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 meet one or more of the prongs for TPS, he or she may still decline to designate the country.

The U.S. Government continues to monitor the situation in Venezuela. In addition, there may be other immigration relief measures available to eligible Venezuelan nationals affected by the current conditions in Venezuela. Information about these options can be found at www.uscis.gov/humanitarian/special-situations.

The Honorable Debbie Mucarsel-Powell
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Thank you again for your letter and interest in this important issue. The co-signers of your letter will receive separate, identical responses. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative and Intergovernmental Affairs at (202) 272-1940.

Respectfully,



Mark R. Koumans
Acting Director