

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

September 6, 2023

**RECEIVED**

By ESEC at 7:47 am, Sep 07, 2023

The Honorable Joseph R. Biden  
President of the United States  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

The Honorable Alejandro Mayorkas  
Secretary of the Department of Homeland Security  
3801 Nebraska Avenue, NW  
Washington, DC 20016

The Honorable Ur Jaddou  
Director of U.S. Citizenship and Immigration Services  
5900 Capital Gateway Drive  
Camp Springs, MD 20746

Dear President Biden, Secretary Mayorkas, and Director Jaddou,

We, the Members of the Congressional Hispanic Caucus, alongside other concerned Members of Congress, are writing to formally request an extension of the re-registration period for Temporary Protected Status (TPS) for El Salvador, Honduras, Nepal, and Nicaragua. Furthermore, we continue to call on your administration to redesignate TPS for each of these four deserving nations.

Amid the ongoing *Ramos v. Mayorkas* lawsuit challenging TPS terminations for these four countries by the Trump administration, in November 2022, the Department of Homeland Security (DHS) “auto-extended” TPS protections for these countries through June 30, 2024.<sup>1</sup> This previous auto-extension, which remains in effect today, automatically prolonged TPS protections for immigrants from these nations through June 30, 2024, without the need for them to re-register.<sup>2</sup>

However, on June 13, 2023, DHS announced its official rescission of the prior administration’s termination of TPS for El Salvador, Honduras, Nepal, and Nicaragua and announced a further extension of TPS for each of these four nations for various periods through 2025: specifically, through March 9, 2025 for El Salvador; June 24, 2025 for Nepal; and July 5, 2025 for both Honduras and Nicaragua.<sup>3</sup> Yet, in order to maintain TPS protection beyond the auto-extension period and into 2025, DHS’s June 2023 announcement also required beneficiaries from each of these four nations to re-register within various “60-day re-registration periods.” These announced re-registration periods are: July 12, 2023 through September 10, 2023 for El Salvador; October 24, 2023 through December 23, 2023 for Nepal; and November 6, 2023 through January 5, 2024 for Honduras and Nicaragua.<sup>4</sup>

As a result, more than 330,000 current TPS beneficiaries from these four nations now have to re-register for TPS within these 60-day periods to benefit from DHS’s additional extension and maintain their status into 2025. The Federal Register Notices published by DHS on June 21, 2023, further emphasized that not re-registering appropriately within this timeframe, without good cause, could lead to the withdrawal of TPS.<sup>5</sup>

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<sup>1</sup> U.S. Citizenship and Immigration Services. “DHS Continues Temporary Protected Status and Related Documentation for Certain Beneficiaries of TPS.” November 14, 2022. <https://www.uscis.gov/newsroom/alerts/dhs-continues-temporary-protected-status-and-related-documentation-for-certain-beneficiaries-of-tps>.

<sup>2</sup> *Id.*

<sup>3</sup> U.S. Department of Homeland Security. “DHS Rescinds Prior Administration’s Termination of Temporary Protected Status.” June 13, 2023. <https://www.dhs.gov/news/2023/06/13/dhs-rescinds-prior-administrations-termination-temporary-protected-status>.

<sup>4</sup> *Id.*

<sup>5</sup> This assertion was made in all four of the June 21, 2023, Federal Register Notices regarding TPS for El Salvador, Nicaragua, Nepal, and Honduras. *See, e.g.*, Federal Register. “Reconsideration and Rescission of Termination of the Designation of El Salvador for Temporary Protected Status; Extension of the Temporary Protected Status Designation for El Salvador (88 Fed. Reg. 40282).” June 21, 2023. <https://www.federalregister.gov/documents/2023/06/21/2023-13018/reconsideration-and-rescission-of-termination-of-the-designation-of-el-salvador-for-temporary>.

As Members of Congress, we write to express our strong belief that these 60-day re-registration periods are wholly inadequate for providing these TPS beneficiaries with sufficient time to access their benefits. These TPS holders have endured five years of uncertainty, confusion, and multiple notices to auto-extend their status. A 60-day period is far too short for service providers to effectively conduct outreach to these impacted communities in order to ensure they have received this updated information and are able to follow the necessary procedures to re-register and retain their TPS protections.

Among the four countries impacted by these short 60-day registration periods, El Salvador's re-registration period ends the soonest—on September 10, 2023.<sup>6</sup> Approximately 239,000 TPS beneficiaries from El Salvador must re-register within this timeframe to maintain their TPS.<sup>7</sup> With this re-registration deadline imminently approaching, our constituents and respective district offices have expressed serious concerns about the low number of applicants that have renewed their status.

The highest numbers of affected TPS holders are located in Florida, California, Texas, and New York, with each state serving as home to, at minimum, 54,000 TPS holders—including tens of thousands of Salvadoran TPS holders.<sup>8</sup> The impact of Tropical Storm Hilary, including flooding, landslides, and power outages in Southern California, is also causing disruptions to the re-registration process.<sup>9</sup> In California, 2019 data showed there were approximately 7,200 construction workers in the state who were TPS holders from El Salvador.<sup>10</sup> Similarly, in Texas—which has also recently experienced extreme weather<sup>11</sup>—around 5,800 Salvadoran construction workers held TPS according to recent data, comprising a significant portion of the state's construction workforce.<sup>12</sup> In Florida, Hurricane Idalia also recently flooded streets, closed airports, and caused widespread power outages.<sup>13</sup> Approximately 23.1 percent of Salvadoran TPS holders in Florida are employed in the construction sector.<sup>14</sup> These continuous demands on Salvadoran workers at the forefront of disaster recovery strains their ability to re-register promptly.

Many TPS beneficiaries believe TPS is automatically renewed, and those with work permits expiring in June 2024 are incorrectly assuming that re-registration isn't required to maintain their status through 2025. The absence of resources, education, and direct notifications from USCIS has placed these communities in an extraordinarily difficult position to meet these 60-day re-registration deadlines. In light of these challenges, we are writing to request an extension of the re-registration period for El Salvador, Honduras, Nicaragua, and Nepal. Extending these 60-day deadlines is crucial for these four “*Ramos* countries” due to their exceptional circumstances. Without an extension of the re-registration period beyond the currently allotted 60 days, these beneficiaries of TPS are at grave risk of losing their status and their ability to obtain a work permit through 2025. We therefore strongly urge your administration to consider extending these 60-day deadlines, while also reiterating our call for a redesignation of TPS for El Salvador, Honduras, Nepal, and Nicaragua.

We look forward to your prompt attention to this time-sensitive request and your swift reply.

Sincerely,

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<sup>6</sup> *Id.*

<sup>7</sup> DHS, *supra* note 3.

<sup>8</sup> National Immigration Forum. “Fact Sheet: Temporary Protected Status.” Last updated August 23, 2023. <https://immigrationforum.org/article/fact-sheet-temporary-protected-status/>.

<sup>9</sup> Reuters. “Tropical Storm Hilary Releases Fury on Southern California.” August 22, 2023. <https://www.reuters.com/world/us/tropical-storm-hilary-releases-fury-southern-california-2023-08-21/>.

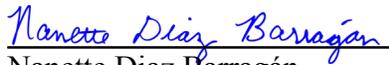
<sup>10</sup> American Immigration Council. “Workers with Temporary Protected Status in Key Industries and States.” January 9, 2019. <https://www.americanimmigrationcouncil.org/research/workers-temporary-protected-status-key-industries-and-states>.

<sup>11</sup> National Hurricane Center [@NHC\_Atlantic]. “Tropical Weather Outlook for the North Atlantic.” Twitter. August 21, 2023. [https://twitter.com/NHC\\_Atlantic/status/1693636124000854489](https://twitter.com/NHC_Atlantic/status/1693636124000854489).

<sup>12</sup> American Immigration Council, *supra* note 10.

<sup>13</sup> NBC News. “Hurricane Idalia makes landfall in Florida as Category 3 storm, brings damage.” Last updated August 31, 2023. <https://www.nbcnews.com/news/weather/live-blog/hurricane-idalia-live-updates-rcna102478>.

<sup>14</sup> Center for American Progress. “Temporary Protected Status (TPS) Factsheet.” October 20, 2017. [https://americanprogress.org/wp-content/uploads/sites/2/2017/10/101717\\_TPSFactsheet-FL.pdf?ga=2.116260998.1800564578.1693429229-793439797.1692390248](https://americanprogress.org/wp-content/uploads/sites/2/2017/10/101717_TPSFactsheet-FL.pdf?ga=2.116260998.1800564578.1693429229-793439797.1692390248).



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Nanette Diaz Barragán  
Member of Congress  
Chairwoman, Congressional  
Hispanic Caucus



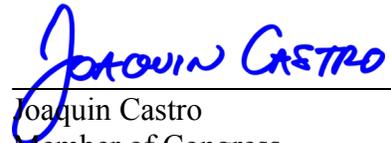
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Adriano Espaillat  
Deputy Chair  
Congressional Hispanic  
Caucus



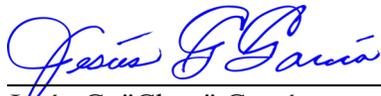
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Delia C. Ramirez  
Member of Congress



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Joaquin Castro  
Member of Congress



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Jesús G. "Chuy" García  
Member of Congress



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Barbara Lee  
Member of Congress



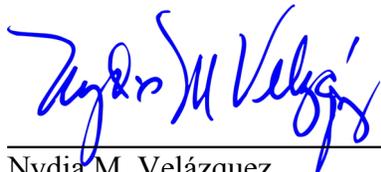
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Rashida Tlaib  
Member of Congress



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Jamaal Bowman, Ed.D.  
Member of Congress



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Nydia M. Velázquez  
Member of Congress



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Ritchie Torres  
Member of Congress



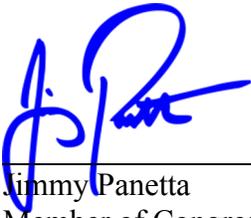
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Sydney Kamlager-Dove  
Member of Congress



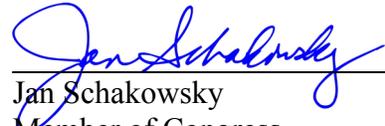
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Frederica S. Wilson  
Member of Congress



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Jimmy Panetta  
Member of Congress



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Jan Schakowsky  
Member of Congress



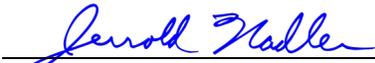
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Alexandria Ocasio-Cortez  
Member of Congress



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Eleanor Holmes Norton  
Member of Congress



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Jerrold Nadler  
Member of Congress



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Sara Jacobs  
Member of Congress



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Lizzie Fletcher  
Member of Congress



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Raúl M. Grijalva  
Member of Congress



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Darren Soto  
Member of Congress



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Pramila Jayapal  
Member of Congress



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James P. McGovern  
Member of Congress



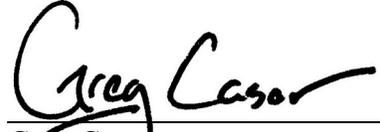
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Cori Bush  
Member of Congress



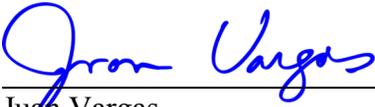
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Nikema Williams  
Member of Congress



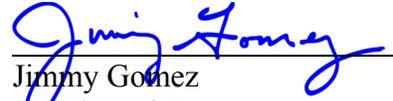
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Greg Casar  
Member of Congress



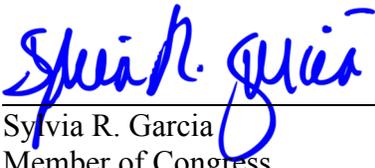
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Juan Vargas  
Member of Congress



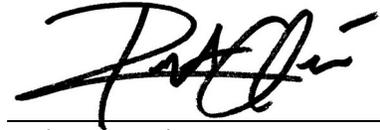
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Jimmy Gomez  
Member of Congress



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Sylvia R. Garcia  
Member of Congress



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Robert Garcia  
Member of Congress



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Dan Goldman  
Member of Congress



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Grace Meng  
Member of Congress



U.S. Citizenship  
and Immigration  
Services

October 10, 2023

The Honorable Nanette Diaz Barragán  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Barragán:

Thank you for your September 6, 2023 letter to the Department of Homeland Security (DHS) requesting an extension of re-registration periods for the Temporary Protected Status (TPS) extensions of El Salvador, Honduras, Nepal, and Nicaragua, and for the redesignation of these countries for TPS. I am responding on behalf of the Department.

I appreciate the concerns voiced by the Congressional Hispanic Caucus. After reevaluating the 60-day re-registration periods, DHS decided to extend the periods for applicants to file re-registration Form I-821, Application for Temporary Protected Status, and Form I-765, Application for Employment Authorization, to obtain an Employment Authorization Document (EAD) if desired. As such, on September 8, 2023, U.S. Citizenship and Immigration Services (USCIS) announced an extension of the re-registration periods for the TPS designation extensions of El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan.<sup>1</sup>

The 18-month re-registration period under the designation of:

- El Salvador, now runs through March 9, 2025;
- Haiti, now runs through Aug. 3, 2024;
- Honduras, now runs through July 5, 2025;
- Nepal, now runs through June 24, 2025;
- Nicaragua, now runs through July 5, 2025; and
- Sudan, now runs through April 19, 2025.

A *Federal Register* notice with additional details of re-registration period extensions is forthcoming.

DHS continues to closely monitor conditions in these countries and will make the most appropriate decision informed by the country conditions and the relevant statutes governing TPS. DHS remains committed to administering its programs, including TPS, in an equitable manner and makes decisions regarding TPS designations after consultation with interagency partners and

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<sup>1</sup> <https://www.uscis.gov/newsroom/alerts/dhs-extends-tps-re-registration-periods-for-el-salvador-haiti-honduras-nepal-nicaragua-and-sudan-to>

careful consideration of each country's circumstances, pursuant to specific statutory criteria. *See* Immigration and Nationality Act §§ 244(b)(1) and 244(b)(3). As required by statute, at least 60 days before expiration of a country's TPS designation or extension, the Secretary, after consultation with appropriate government agencies, must review the conditions in the foreign state to determine whether the conditions for TPS designation continue to be met. Accordingly, DHS will consult with the Department of State to explore whether to extend and/or redesignate these countries for TPS.

In addition to TPS, USCIS also offers support to assist eligible nationals affected by conditions in their countries of citizenship, including the following:

- Change or extension of nonimmigrant status if eligible nationals are currently in the United States, even if the request is filed after the authorized period of admission has expired;
- 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 conditions; 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 cosigners of your letter will receive a separate, identical response. Should you require any additional assistance, please 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