

September 30, 2022

President Joseph Biden
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Secretary Mayorkas
Department of Homeland Security
Nebraska Avenue Complex
3801 Nebraska Avenue, NW
Washington, D.C. 20395

Secretary Blinken
Department of State
Harry S. Truman Building
2201 C Street, NW
Washington, D.C. 20520

RE: Human and Immigrant Rights Organizations Urgently Call on Administration to Designate Temporary Protected Status for Ethiopia

Dear President Biden, Secretary Mayorkas, and Secretary Blinken:

The undersigned 113 human and immigrant rights organizations call on you to immediately designate Temporary Protected Status (TPS) for Ethiopia for 18 months in response to the escalating humanitarian crisis and violence unfolding in the country. The delay in designating TPS in the face of the extreme conditions in Ethiopia flies in the face of Congressional intent and calls into question racial disparity in TPS decision-making. TPS would provide a measure of humanitarian relief and stability to Ethiopians in the United States, and, given the impossibility of safe return to Ethiopia, it should be put in place immediately.

I. Devolving Country Conditions Make Urgent Need for TPS Clear

The current crisis in Ethiopia—which first broke out in November 2020—has been marked by violence against civilians in conflict, ethnic cleansing, destruction of public infrastructure, including health care facilities and schools, arbitrary arrests, torture, sexual and gender-based violence as a weapon of war, and weaponization of food, medicine, and fuel.¹ In 2021, the conflict in Ethiopia set a global record with the most people ever displaced within a country in a single year—5.1 million people.² The previous internal displacement record was 3.5 million people in Syria in 2013.³

Throughout 2021 and 2022, at least six million people across the Amhara, Tigray, and Afar regions have been cut off from access to adequate food, health care, fuel, banking services, communications with the outside world, and other basic needs.⁴ Earlier this year, a single hospital reported 117 deaths due to lack of access to basic medical supplies like gauze and

¹ 2021 Country Reports on Human Rights Practices: Ethiopia, U.S. Department of State: Bureau of Democracy, Human Rights, and Labor (2021), <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/ethiopia>; Kenneth Roth, Ethiopia: Events of 2020, Human Rights Watch, 2021, <https://www.hrw.org/world-report/2021/countrychapters/ethiopia#>; Ethiopia still in grip of spreading violence, hate speech and aid crisis, United Nations (June 30, 2022), <https://news.un.org/en/story/2022/06/1121772>.

² Jacky Habib, Ethiopia set a world record for displacements in a single year: 5.1 million in 2021, NPR (May 28, 2022), <https://www.npr.org/sections/goatsandsoda/2022/05/28/1100469734/ethiopia-set-a-world-record-for-displacements-in-a-single-year-5-1-million-in-20>.

³ *Id.*

⁴ World Report 2022: Ethiopia, Human Rights Watch (2022), <https://www.hrw.org/world-report/2022/country-chapters/ethiopia>; Tigray: Food aid reaches Afar and Amhara, but situation still 'dire', UN News (October 5, 2021), <https://news.un.org/en/story/2021/10/1102182>; Factsheet, Ethiopia - Northern Ethiopia Crisis, USAID (June 3, 2022), https://www.usaid.gov/sites/default/files/documents/2022-06-03_USG_Northern_Ethiopia_Crisis_Fact_Sheet_7.pdf.

intravenous fluids.⁵ At least 5.3 million people in these regions are “severely food insecure.”⁶ One in three children are malnourished, with the United Nations World Food Programme reporting that urgent action is needed to save their lives.⁷ During an attempted truce period between warring parties that began in the spring of 2022, some humanitarian aid entered the region, but it was only a fraction of what was and is needed to support human life.⁸ Additionally, journalists have not been permitted by the Ethiopian government to enter the war zone and report on the full extent of the crisis for more than a year.⁹

The humanitarian crisis in Ethiopia extends beyond the devastating conflict in Amhara, Tigray, and Afar. Severe, ongoing human rights violations are also documented in the Oromia region, including arbitrary arrests and the summary execution of a 17-year-old boy by government forces in 2021.¹⁰ Additionally in western Ethiopia, the U.N. reported in August 2022 that there continues to be “increased levels of violence and limited humanitarian response” in the Benishangul Gumuz Region with more than 460,000 people estimated to be displaced.¹¹ The U.S. Department of State also lists regions of the country bordering Somalia, Sudan, South Sudan, and Kenya as unsafe due to factors including “terrorism,” “kidnappings,” and “ethnically motivated violence.”¹²

Ethiopia is also enduring climate shocks contributing to widespread displacement and food shortages including the worst drought documented in forty years.¹³ According to the U.N. Office for the Coordination of Humanitarian Affairs, 16.99 million people are targeted for assistance in drought affected areas for the second half of 2022.¹⁴ The cost of water has skyrocketed in several areas of the country, with UNICEF saying that the lack of access to clean water leaves children “one disease away from catastrophe.”¹⁵ An estimated 3.5 million livestock needed to sustain people have died in drought stricken areas.¹⁶ Simultaneous to extreme drought, the United Nations warned that flood risks in late summer and early fall of 2022 would impact 1.7 million people and put 400,000 more at risk of displacement.¹⁷

⁵ Katharine Houreld and Giulia Paravicini, Doctors say lives are lost in hospitals in Ethiopia's Tigray due to dwindling supplies, blame blockade, Reuters (Jan. 5, 2022), <https://www.reuters.com/business/healthcare-pharmaceuticals/doctors-say-lives-are-lost-hospitals-ethiopias-tigray-due-dwindling-supplies-2022-01-05/>.

⁶ Tigray: almost one in three children under five malnourished, UN says, The Guardian (Aug. 20, 2022), <https://www.theguardian.com/global-development/2022/aug/20/tigray-ethiopia-almost-one-in-three-children-under-five-malnourished-un-says>.

⁷ *Id.*

⁸ Almost half of Tigrayans don't have adequate food as malnutrition rates in Ethiopia 'skyrocket', ABC News (August 19, 2022),

<https://www.abc.net.au/news/2022-08-20/nearly-half-the-people-in-ethiopias-tigray-needs-food-aid/101353298>;

Laetitia Bader, EU Should Press Ethiopia for Tangible Rights Progress, Human Rights Watch (June 17, 2022), <https://www.hrw.org/news/2022/06/17/eu-should-press-ethiopia-tangible-rights-progress>.

⁹ Cara Anna, ‘Large-scale’ fighting shatters lull in Ethiopia’s Tigray region, Los Angeles Times (August 24, 2022), <https://www.latimes.com/world-nation/story/2022-08-24/large-scale-fighting-shatters-lull-in-ethiopias-tigray>.

¹⁰ Laetitia Bader, Ethiopia’s Other Conflict, Human Rights Watch (July 4, 2022), <https://www.hrw.org/news/2022/07/04/ethiopias-other-conflict>.

¹¹ Ethiopia Situation Report, U.N. OHCA (Aug. 22, 2022), <https://reports.unocha.org/en/country/ethiopia>.

¹² Ethiopia Travel Advisory, Department of State, <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/ethiopia-travel-advisory.html>.

¹³ Drought, hunger and fighting leave Ethiopia in ‘very difficult humanitarian situation’, United Nations (August 24, 2022), <https://news.un.org/en/story/2022/08/1125402>.

¹⁴ Ethiopia Situation Report, U.N. OHCA (Aug. 22, 2022), <https://reports.unocha.org/en/country/ethiopia>.

¹⁵ Africa drought: Some children just ‘one disease away from catastrophe’ UNICEF warns, United Nations (August 23, 2022), <https://news.un.org/en/story/2022/08/1125192>.

¹⁶ Ethiopia Situation Report, U.N. OHCA (Aug. 22, 2022), <https://reports.unocha.org/en/country/ethiopia>.

¹⁷ Drought, hunger and fighting leave Ethiopia in ‘very difficult humanitarian situation’, United Nations (August 24, 2022), <https://news.un.org/en/story/2022/08/1125402>.

On August 24, a new round of conflict began in the country as months-long discussions on ceasing hostilities fell apart, with the Ethiopian government launching a large-scale offensive on Tigray.¹⁸ On August 26, an airstrike struck a kindergarten, killing at least seven people, including children.¹⁹ Experts at the International Crisis Group warn that the breach of the truce threatens a “return to full-blown war.”²⁰

II. The Biden Administration Must Stop Delaying and Use TPS as Congress Intended to Provide Humanitarian Protection When Safe Return is Impossible

TPS is a crucial tool the Biden administration has at its disposal to safeguard vulnerable people in the United States when safe return to their home countries is impossible. Crucially, Congress gave the power to designate TPS to the U.S. Department of Homeland Security (as opposed to a determination by Congress) so administrations can work quickly to put protection in place at the onset of life-threatening conditions due to conflict, environmental disaster, or other extraordinary conditions.

The Temporary Protected Status and Deferred Enforced Departure Administrative Advocacy Coalition (TPS-DED AAC)—comprised of community-based organizations representing directly impacted people, human rights leaders, and immigration law and policy experts—have submitted country conditions analysis²¹ and directly engaged with the Biden administration multiple times on the need for an immediate TPS designation over the course of the nearly two-year crisis in Ethiopia. These repeated calls for action have been joined by Members of Congress—including a recommendation for TPS for Ethiopia endorsed by 41 Representatives in May 2022.²² The Biden administration used TPS as Congress intended when it designated Ukraine within seven days after the outbreak of war. The delay in life-saving protection for Ethiopians in the United States calls into question continued racial disparity in TPS decision-making.

TPS for Ethiopia would safeguard at least 30,000 people in the United States²³ and also send a crucial message to the world that the United States will stand for the human rights and lives of Ethiopians. In a recent statement, Secretary Blinken noted the U.S. “commitment to reach all

¹⁸ Cara Anna, ‘Large-scale’ fighting shatters lull in Ethiopia’s Tigray region, Los Angeles Times (Aug. 24, 2022), <https://www.latimes.com/world-nation/story/2022-08-24/large-scale-fighting-shatters-lull-in-ethiopia-tigray>.

¹⁹ Declan Walsh, Ethiopian Airstrike Hits Kindergarten as Fighting Spreads in Tigray, New York Times (Aug. 26, 2022), <https://www.nytimes.com/2022/08/26/world/africa/ethiopian-tigray-airstrike-kindergarten.html>.

²⁰ Fighting in northern Ethiopia shatters months-long truce, The Guardian (Aug. 24, 2022), <https://www.theguardian.com/world/2022/aug/24/fighting-in-northern-ethiopia-shatters-months-long-truce-tigray>

²¹ Request for New 18-Month Designation of TPS for Ethiopia, TPS - DED AAC (Aug. 4, 2021), <https://www.tpsdedaac.org/countryspecific-campaign-resources>; Coalition of Advocates Call for TPS for Ethiopia on UN Human Rights Day, TPS - DED AAC (December 9, 2021), <https://www.tpsdedaac.org/countryspecific-campaign-resources>.

²² Reps. Dean and Brown Lead Letter to Urge Temporary Protected Status For Ethiopians, (May 2022), <https://dean.house.gov/2022/5/brown-dean-41-members-of-congress-urge-temporary-protected-status-for-ethiopia> ns; Congressman Neguse Renews Call for DHS to Adopt TPS for Mauritania and Ethiopia, (April 2022), <https://neguse.house.gov/media/press-releases/congressman-neguse-renews-call-for-dhs-to-adopt-tps-for-mauritania-and-ethiopia->; Menendez Statement on Biden Administration’s Designation of TPS for Afghanistan, March 2022, <https://www.foreign.senate.gov/press/chair/release/menendez-statement-on-biden-administrations-designation-of-tps-for-afghanistan>.

²³ Robert Warren and José Pacas, Ethiopians That Might Qualify for Temporary Protected Status (2021), <https://cmsny.org/ethiopians-that-might-qualify-for-temporary-protected-status/>.

regions and people of Ethiopia in need.”²⁴ That commitment must extend to Ethiopians here in the United States.

III. Conclusion

TPS should be used as part of a broader U.S. response to a humanitarian crisis. As it did with Ukraine, the administration should also immediately designate Special Student Relief for Ethiopia and cease deportations while TPS and SSR are being implemented. Please contact Lora Adams at lora@masadc.com with any questions or to arrange an engagement.

Sincerely,

National

African American Ministers In Action
Alianza Americas
American Friends Service Committee (AFSC)
American Immigration Lawyers Association
American Relief Coalition for Syria
Amnesty International USA
Asian Americans Advancing Justice | AAJC
Asylum Seeker Advocacy Project (ASAP)
Black Alliance for Just Immigration
Bridges Faith Initiative
Cameroon Advocacy Network
CASA
Catholic Legal Immigration Network, Inc.
Center for Gender & Refugee Studies
Church World Service
Climate Refugees
Communities United for Status & Protection (CUSP)
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Congregation of Sisters of St. Agnes
Cooperative Baptist Fellowship
Disciples Immigration Legal Counsel
Disciples Refugee & Immigration Ministries
Empowering Pacific Islander Communities
Ethiopian Community Development Council, Inc.
Franciscan Action Network
Friends Committee on National Legislation
Haitian Bridge Alliance
Hispanic Federation
Human Race
Human Rights First
Immigrant Legal Resource Center
Immigration Hub
InReach
Just Faith Ministry
Justice Action Center
Leadership Team of the Felician Sisters of North America

²⁴ Press Statement: Five Months of a Humanitarian Truce in Ethiopia, Department of State (Aug. 24, 2022), <https://www.state.gov/five-months-of-a-humanitarian-truce-in-ethiopia/>.

Lutheran Immigration and Refugee Service
National Advocacy Center of the Sisters of the Good Shepherd
National Council of Asian Pacific Americans
National Council of Jewish Women
National Employment Law Project
National Immigration Law Center
National Network for Arab American Communities
National Network for Immigrant and Refugee Rights
National Organization for Women
National Partnership for New Americans
Nicaraguan American Human Rights Alliance
Presbyterian Church (USA)
RAICES
Robert F. Kennedy Human Rights
Service Employees International Union (SEIU)
Sisters of Charity of Nazareth Congregational Leadership
Sisters of Charity of Nazareth Western Province Leadership
Sisters of St Joseph of Carondelet
U.S. Committee for Refugees and Immigrants (USCRI)
UndocuBlack Network
Unitarian Universalists for Social Justice
United Stateless
Wheaton Franciscan Sisters JPIC Office
World Education Services

State and Local

Adelanto Visitation & Advocacy Network
Adhikaar
Advokato
African Services Committee
Ayuda
Benedictine Sisters of FL
Black Immigrant Collective (BIC)
CAIR-Minnesota
Catholic Charities of SW Kansas
Church of Our Saviour/La Iglesia de Nuestro Salvador
Church Women United in New York State
Connecticut Shoreline Indivisible
Dominican Sisters of Houston
Dorothy Day Catholic Worker, DC
End Domestic Abuse Wisconsin
Envision Freedom Fund
Florence Immigrant & Refugee Rights Project
Friends of Broward Detainees
Illinois Coalition for Immigrant and Refugee Rights
Immaculate Heart Community Commission on Justice for Immigrants and Refugees
Immigrant Action Alliance
Immigrant Defenders Law Center
Immigrant Legal Advocacy Project
Interfaith Welcome Coalition - San Antonio
International Institute of New England

Jemez Peacemakers
Jewish Voice for Peace, Atlanta chapter
Just Neighbors Ministry
Justice For Our Neighbors North Central Texas
La Comunidad, Inc
Law Office of Peggy J. Bristol
Legal Aid Justice Center
Lutheran Church of Our Redeemer
New Hampshire Conference United Church of Christ, Immigrant & Refugee Support Group
New York Immigration Coalition
Ohio Immigrant Alliance
Pennsylvania Council of Churches
San Bernardino Community Service Center
Seattle Immigrant Rights Action Group
Sisters of St. Dominic of Blauvelt, New York
Sisters of St. Joseph of Carondelet, LA
Social Justice Coalition, Central Lutheran Church
St. James Cathedral, Seattle
Tennessee Justice for Our Neighbors
The Advocates for Human Rights
The Legal Project
United Vision for Idaho
UUFHCT
Venezuelans and Immigrants Aid (VIA)
Wallingford Indivisible
WESPAC Foundation, Inc.
Wilco Justice Alliance (Williamson County, TX)
Wind of the Spirit Immigrant Resource Center



November 1, 2022

Lora Adams
Human and Immigrant Rights Organizations
Lora@masadc.com

Dear Ms. Adams:

Thank you for your October 3, 2022 letter to the Department of Homeland Security (DHS) requesting a designation of Temporary Protected Status (TPS) for Ethiopia. U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program, and Secretary Mayorkas asked that I respond on his behalf.

I appreciate the concerns you have outlined regarding the situation in Ethiopia and your interest in its TPS designation. On October 21, 2022, after careful consideration, including a thorough review of the country conditions and consultation with interagency partners, Secretary Mayorkas announced the new designation of Ethiopia for Temporary Protected Status (TPS) for 18 months. This designation of TPS for Ethiopia enables Ethiopian nationals—and individuals without nationality who last habitually resided in Ethiopia—who have been continuously residing in the United States since October 20, 2022 to file applications to register for TPS. For additional information, please see the press release announcing the designation of TPS for Ethiopia.¹

DHS estimates that approximately 26,700 individuals may be eligible for TPS under Ethiopia's 18-month designation, which will go into effect on the publication date of the forthcoming Federal Register notice. This notice will also provide fee information and instructions for applying for TPS, an Employment Authorization Document (EAD), and a fee waiver.

In addition to TPS, USCIS also offers support that may be available upon request to assist eligible Ethiopian nationals affected by conditions there. Such support includes the following:

- Change or extension of nonimmigrant status if eligible Ethiopian 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;

¹ <https://www.dhs.gov/news/2022/10/21/dhs-designates-ethiopia-temporary-protected-status-18-months>.

- 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 natural disaster; 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 on the “Special Situations” webpage of the USCIS website at <https://www.uscis.gov/humanitarian/special-situations>.

Thank you again for your letter and interest in this important issue. Please share this response with the other organizations that cosigned your letter. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ur M. Jaddou" followed by a long horizontal flourish.

Ur M. Jaddou
Director