September 14, 2023

The Honorable Joseph R. Biden, Jr.  The Honorable Alejandro Mayorkas
President of the United States  Secretary
The White House  U.S. Department of Homeland Security
1600 Pennsylvania Ave NW  3801 Nebraska Avenue, NW
Washington, DC 20500  Washington, DC 20528

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

Dear President Biden, Secretary Mayorkas, and Director Jaddou:

We members of Congress write today in a bipartisan fashion to urge the administration to expeditiously use its statutory authority to redesignate, for Temporary Protected Status (TPS), Venezuelan nationals who have been continuously residing or physically present in the United States since September 2023.

The current situation in Venezuela is dire. Rampant corruption, government-sponsored repression and human rights violations,¹ widespread gang violence, and massive hyperinflation have resulted in a monumental economic and political collapse that has caused over seven million Venezuelans to flee the country since 2015.² In turn, the United Nations High Commissioner for Refugees (UNHCR) has categorized the situation in Venezuela as the “largest external displacement crisis in the world,” second only to Ukraine.³ These immigrant families have continually fled escalating violence government persecution, crushing poverty, malnutrition, and absences of medicine and essential services in Venezuela,⁴ brought about by what economists from Harvard University and the International Monetary Fund have described as the “single largest economic collapse outside of the war in [over 40] years.”⁵ In reflection of this, the New

York Times has documented how “tens of thousands” of Venezuelan migrants—often families with children—have crossed rivers, scaled mountains, and traversed the dangerous “Darien Gap” in Panama hopes of reaching safety in the U.S.\(^6\) In light of this ongoing situation, it is our view that the U.S. should treat these Venezuelan migrants with the utmost compassion, dignity, and respect.

Congress has provided the Secretary of Homeland Security with the statutory authority to designate or redesignate a foreign state for TPS.\(^7\) Currently, immigrants from sixteen countries, including Venezuela, have been designated for TPS by U.S. Citizenship and Immigration Services (USCIS), subject to various parameters.\(^8\) However, under Venezuela’s present TPS designation, Venezuelan immigrants who arrived in the U.S. after March 8, 2021, remain ineligible to apply for or receive TPS in the U.S.—even if they meet all other TPS eligibility criteria.

Although TPS is only available for Venezuelans who have maintained a continuous physical residence in the U.S. since before March 9, 2021, the conditions that led to the previous designation of Venezuela for TPS have continued to worsen. The ongoing humanitarian crisis in Venezuela warrants a favorable exercise of discretion for the redesignation of Venezuela for TPS. Therefore, we strongly encourage the administration to redesignate Venezuelans for TPS status by extending TPS eligibility to all Venezuelan nationals who have been in the U.S. since September 2023.

We, as both Democratic and Republican leaders in Congress, urge you to protect displaced Venezuelans currently residing in the U.S., and we look forward to your prompt response on this matter.

Sincerely,

Adriano Espaillat  
Member of Congress

María Elvira Salazar  
Member of Congress

Jesús G. "Chuy" García  
Member of Congress

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\(^6\) Turkewitz, supra note 4.

\(^7\) See 8 U.S.C. 1254a(b)(1).

Brian Higgins
Member of Congress

Grace Meng
Member of Congress