

October 18, 2024

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
Washington, D.C. 20528

RECEIVED
By ESEC at 1:50 pm, Oct 18, 2024

Dear Secretary Mayorkas:

I write regarding your dangerous decision to grant Temporary Protected Status (TPS) to Lebanese nationals currently in the United States. The presence of these Lebanese nationals in the United States regardless of whether they lawfully entered poses a grave risk to our national security.

We have seen a dramatic increase in unvetted illegal immigrants as a result of your open-border policies. Under the Biden-Harris administration, Border Patrol has encountered thousands of illegal immigrants from countries with deep ties to terrorism, including Lebanon. In fact, Border Patrol agents apprehended a Lebanese man at the southern border earlier this year who said he belonged to Hezbollah and came to America to build a bomb.

Your department estimates that granting TPS status will protect 11,000 Lebanese nationals from deportation, which undoubtedly includes many Hezbollah terrorists. This reckless policy endangers the safety of our citizens.

I urge you to rescind this decision before it goes into effect. For Lebanese nationals who have a legal basis to be present in the United States and who can credibly claim a risk to their lives if they return to Lebanon, your department could evaluate asylum requests on a case-by-case basis. This policy would be a far more sensible and safer course of action than a blanket TPS grant to all Lebanese nationals.

Thank you for your prompt attention to this important matter.

Sincerely,



Tom Cotton
United States Senator



January 15, 2025

The Honorable Tom Cotton
United States Senate
Washington, DC 20510

Dear Senator Cotton:

Thank you for your October 18, 2024 letter to the Department of Homeland Security (DHS). I am responding on behalf of the Department.

The Biden-Harris Administration is implementing an enduring and effective border management strategy focused on strengthened consequences and enforcement for those who cross the border without authorization paired with meaningful lawful pathways for those who qualify. DHS has taken unprecedented actions to strengthen enforcement of our immigration laws and deter irregular migration, including referring record numbers of individuals into expedited removal. Over the past year, DHS has removed or returned more than three quarters of a million people, more than in any fiscal year since 2010. Importantly, DHS screens and vets all noncitizens seeking admission at or encountered between ports of entry, and those encountered undergo biometric and biographic screening and vetting by U.S. Customs and Border Protection that incorporates law enforcement and national security information to determine if they pose a threat to national security or public safety. If a noncitizen is determined to pose a threat to national security or public safety, they are denied admission, detained, removed, or referred to other federal agencies for further vetting, investigation, and/or prosecution as appropriate.

As you noted in your letter, DHS announced the designation of Lebanon for TPS for 18 months.¹ The Secretary of Homeland Security may designate a country for Temporary Protected Status (TPS) and extend or terminate a country's existing TPS designation based upon specific statutory criteria. In order to designate a country for TPS or extend a country's TPS designation, the Secretary must find one or more of the following: (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

¹ See DHS Press Release, DHS Offers Protections for Lebanese Nationals Currently in the United States, Oct. 17, 2024, available at <https://www.dhs.gov/news/2024/10/17/dhs-offers-protections-lebanese-nationals-currently-united-states>.

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 sec. 244(b)(1), 8 U.S.C. § 1254a(b)(1).

An individual who is potentially eligible for TPS, must apply via Form I-821, Application for Temporary Protected Status. DHS conducts thorough background checks and evaluates each TPS application individually to determine if that applicant is eligible for TPS pursuant to the statute, including but not limited to determining whether the noncitizen is admissible as an immigrant (with limited exceptions). *See* INA sec. 244(c)(1)(A), 8 U.S.C. § 1254a(c)(1)(A). This includes a determination that the noncitizen is not inadmissible on certain terrorism-related or criminal grounds, which are nonwaivable. *See* INA sec. 244(c)(2)(A)(iii), 8 U.S.C. § 1254a(c)(2)(A)(iii). DHS continually monitors available sources of intelligence and law enforcement information to identify threats and public safety risks. If any new information emerges, DHS works closely with our law enforcement partners to take appropriate action.

Thank you again for your letter. If you would like to discuss this matter further, please have your staff contact the U.S. Citizenship and Immigration Services 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