

# United States Senate

WASHINGTON, DC 20510

September 21, 2022

President Joseph R. Biden, Jr.  
The White House  
1600 Pennsylvania Ave., NW  
Washington, DC 20500

**RECEIVED**

**By ESEC at 12:07 pm, Sep 27, 2022**

Dear President Biden:

We write to respectfully urge your Administration to consider designating the Islamic Republic of Pakistan for Temporary Protected Status (TPS). Unprecedented flooding in Pakistan is currently impacting approximately 33 million people and has killed nearly 1,500,<sup>1</sup> including 458 children.<sup>2</sup> Given the severity of this crisis, the United States must ensure that Pakistani nationals present in the United States are not forced to return to conditions that could imperil their lives.

Current conditions in Pakistan represent an ongoing environmental disaster – one of the statutory bases for TPS designation. Extreme flooding has left most regions of the country uninhabitable and unsafe. According to data from the European Space Agency, approximately one-third of Pakistan is underwater.<sup>3</sup> The Indus River is exceeding its capacity, which has led officials to evacuate entire villages in hopes of mitigating further disaster. Half of Pakistan’s municipal districts have declared a “state of calamity” and the country’s National Disaster Management Authority estimates that one in seven Pakistanis has been affected.<sup>4</sup> According to Pakistan’s finance minister, the damage is likely to exceed \$10 billion, which is equivalent to 4 percent of the country’s annual gross domestic product.<sup>5</sup>

Even as Pakistanis are reeling from the physical destruction caused by the flooding, they are also facing the spread of waterborne illness that this environmental crisis has exacerbated. Tens of thousands have been stricken by diarrhea, malaria, acute respiratory infections (ARI), skin and eye infections, typhoid, and other health issues resulting from contamination of the water supply.<sup>6</sup> While we applaud your Administration’s decision to provide a much needed \$30 million

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<sup>1</sup> “Pakistan floods: Officials struggle to stop biggest lake overflowing,” BBC, September 7 2022, <https://www.bbc.com/news/world-asia-62764224>

<sup>2</sup> “A third of Pakistan is underwater amid its worst floods in history. Here’s what you need to know,” CNN, September 2, 2022, <https://www.cnn.com/2022/09/02/asia/pakistan-floods-climate-explainer-intl-hnk/index.html>

<sup>3</sup> “Pakistan: 2022 Monsoon Floods - Situation Report No. 04: As of 2 September 2022,” ReliefWeb, September 2, 2022, <https://reliefweb.int/report/pakistan/pakistan-2022-monsoon-floods-situation-report-no-04-2-september-2022>

<sup>4</sup> “U.N. chief calls Pakistan floods a ‘climate catastrophe’,” The Washington Post, August 30, 2022, <https://www.washingtonpost.com/climate-environment/2022/08/29/pakistan-floods-climate-change/>

<sup>5</sup> “WHO Pakistan Floods Situation Report Issue 2 - 3 September 2022,” Relief. Web, September 5, 2022, <https://reliefweb.int/report/pakistan/who-pakistan-floods-situation-report-issue-2-3-september-2022>

<sup>6</sup> “USAID Deploys a Disaster Assistance Response Team to Respond to Flooding in Pakistan,” USAID, September 2, 2022, <https://www.usaid.gov/news-information/press-releases/sep-02-2022-usaid-deploys-a-disaster-assistance-response-team-to-respond-to-flooding-in-pakistan>

in humanitarian assistance and dispatch a USAID Disaster Assistance Response Team, further action is needed to mitigate the harmful effects of this crisis.<sup>7</sup>

Forcing Pakistanis to return to a country that is experiencing what U.N. Secretary-General António Guterres has called a relentless impact of “epochal” levels of rain and flooding would be a grievous obstruction to relief efforts. It would also risk fueling further displacement, destabilizing the region, and undermining key U.S. national security interests.<sup>8</sup> The use and implementation of TPS as a humanitarian tool would provide necessary relief to individuals that are unable to return to their country due to the extraordinary environmental and public health conditions.

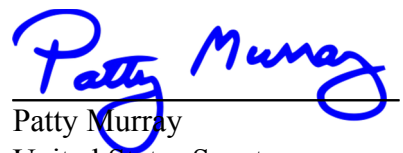
Additionally, designating Pakistan for TPS would also contribute to your Administration’s multi-pronged disaster response. It would decrease the strain on Pakistani infrastructure and provide a safe haven for those who cannot return to their homes or whose homes have been destroyed. Should Pakistan officially request TPS designation given the current conditions that the country is facing, we urge you to prioritize such a request and take it into serious consideration while you continue to monitor ongoing developments and deliberate on the best way to aid the Pakistani community. TPS is a small but consequential step that the United States can take to immediately reduce the human suffering caused by this natural disaster and would reaffirm our stance as a global leader committed to humanitarian relief efforts and protections.

Thank you for your consideration. We look forward to your timely reply.

Sincerely,



Kirsten Gillibrand  
United States Senator



Patty Murray  
United States Senator

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<sup>7</sup> “Pakistan: \$160 million UN emergency plan launched, as ‘monsoon on steroids’ continues,” United Nations, August 30, 2022, <https://news.un.org/en/story/2022/08/1125752>.

<sup>8</sup> “In Pakistan’s Record Floods, Villages Are Now Desperate Islands,” New York Times, September 14, 2022, <https://www.nytimes.com/2022/09/14/world/asia/pakistan-floods.html>



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Richard J. Durbin  
United States Senator



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Elizabeth Warren  
United States Senator



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Dianne Feinstein  
United States Senator



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Amy Klobuchar  
United States Senator



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Cory A. Booker  
United States Senator



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Mark R. Warner  
United States Senator



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Bernard Sanders  
United States Senator



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Chris Van Hollen  
United States Senator



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Tina Smith  
United States Senator



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Robert P. Casey, Jr.  
United States Senator

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cc: Secretary of the Department of Homeland Security Alejandro Mayorkas  
Secretary of State Anthony J. Blinken  
National Security Advisor Jake Sullivan



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

October 12, 2022

The Honorable Kirsten E. Gillibrand  
United States Senate  
Washington, DC 20510

Dear Senator Gillibrand:

Thank you for your September 21, 2022 letter to the U.S. Department of Homeland Security (DHS) in support of Temporary Protected Status (TPS) for Pakistani nationals. U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary of DHS on TPS, and Secretary Mayorkas asked that I respond on his behalf.

I appreciate the concerns you have outlined regarding the situation in Pakistan and your interest in its designation for TPS. As you are aware, 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. 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 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* Immigration and Nationality Act § 244(b)(1).

Please be assured that DHS continues to monitor conditions in Pakistan and makes TPS designations after consultation with interagency partners and careful consideration of the circumstances of the country. DHS is committed to administering its programs, including TPS, in an equitable manner. DHS offers support that may be available upon request to assist those affected by special situations, including eligible Pakistani nationals residing in the United States. Such support includes:

- 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 special situation; 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 the USCIS website available online 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 have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a long horizontal flourish.

Ur M. Jaddou  
Director