

# Congress of the United States

Washington, DC 20515

December 22, 2022

**RECEIVED**

By ESEC at 9:46 am, Dec 23, 2022

The Honorable Joseph R. Biden  
President of the United States  
1600 Pennsylvania Avenue  
Washington, D.C.

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

Dear President Biden and Secretary Mayorkas,

We write to urge the Administration to grant Temporary Protected Status (TPS) to Venezuelans who entered the United States after March 9, 2021, and expedite their work authorization. We recognize the Administration's recent efforts to extend Venezuela's designation for TPS and create a new process that will admit up to 24,000 qualifying Venezuelans into the United States. However, while some Venezuelans are eligible for these programs, many more are left without much needed protection.

According to the United Nations High Commissioner for Refugees, the exodus of over seven million people from Venezuela is the second largest external displacement crisis in the world.<sup>1</sup> The country has suffered the largest economic collapse outside of war in the last 45 years.<sup>2</sup> Though the majority of displaced Venezuelans are in Latin America and Caribbean, we are witnessing an increase in those who have been making the long and dangerous trip to the United States seeking protection.<sup>3</sup>

Secretary Mayorkas designated Venezuela for TPS on the basis of "extraordinary and temporary conditions that prevented nationals of Venezuela from returning in safety." Since the designation over a year ago, conditions have continued to deteriorate. In September, the House Foreign Affairs Committee marked up H.R. 8813, the AFFECT Human Rights in Venezuela Act, legislation that supports the extension of the mandate of the United Nation's Independent International Fact-Finding Mission on Venezuela (FFM). According to the FFM, the Venezuelan people have been confronting an historic human rights crisis since 2014 that includes extrajudicial executions, enforced disappearances, arbitrary detention, and sexual and gender-based violence. These conditions have contributed to an increase in displacement, food insecurity and lack of medical and humanitarian assistance. Although we are supportive of negotiations restarted in Mexico toward free and fair elections in 2024 as well as potential humanitarian assistance agreements, we remain concerned about the current state of well-being of all Venezuelans at home and abroad.

We commend the Administration for offering thousands of Venezuelans a legal pathway to the United States. However, most Venezuelan refugees are ineligible because the program requires them to have a sponsor in the United States who can provide financial support. Due to years of economic decline and collapse in Venezuela

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<sup>1</sup> *Venezuela situation*, U.N. HIGH COMM'R FOR REFUGEES, <https://www.unhcr.org/en-us/venezuela-emergency.html> (last visited Nov. 14, 2022).

<sup>2</sup> Anatoly Kurmanaev, *Venezuela's Collapse Is the Worst Outside of War in Decades, Economists Say*, N.Y. TIMES (May 17, 2019), <https://www.nytimes.com/2019/05/17/world/americas/venezuela-economy.html>.

<sup>3</sup> *Venezuela situation*, U.N. HIGH COMM'R FOR REFUGEES, <https://www.unhcr.org/en-us/venezuela-emergency.html> (last visited Nov. 14, 2022); William Melhado, *U.S. will begin turning many Venezuelan migrants back to Mexico*, TEX. TRIBUNE (Oct. 12, 2022), <https://www.texastribune.org/2022/10/12/biden-migrants-venezuela-us-mexico-border>.

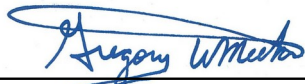
and low rates of prior migration to the United States, many Venezuelans who are forced to leave their country have very little economic support or sponsorship possibilities in the United States.

Additionally, for Venezuelans who qualify for TPS and sponsorship program, there are long delays in processing times for employment authorization, which makes it difficult to work if they are allowed to remain in the United States. Newly arrived Venezuelans, though grateful for the initial support provided to them in many cities, want to find jobs to be contributing members of American society and sustain themselves and their families.<sup>4</sup>


We strongly urge the Administration to aid Venezuelans arriving after March 9, 2021 by redesignating Temporary Protected Status (TPS) for Venezuela and expediting processing times for employment authorization so they can join the workforce and contribute to the U.S. economy.

Thank you for your attention to this urgent matter, and we look forward to your response.

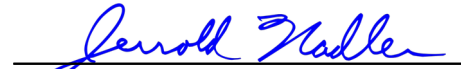
Sincerely,



Gregory W. Meeks  
Member of Congress



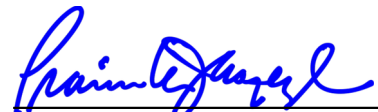
Yvette D. Clarke  
Member of Congress



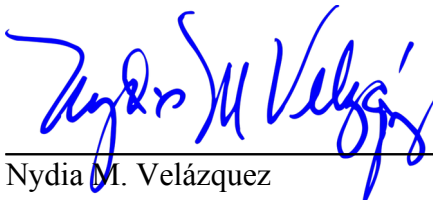
Jerrold Nadler  
Member of Congress



James P. McGovern  
Member of Congress



Pramila Jayapal  
Member of Congress



Nydia M. Velázquez  
Member of Congress

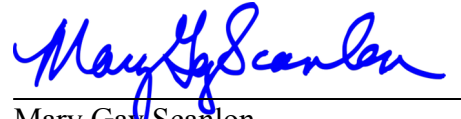


Adriano Espaillat  
Member of Congress

<sup>4</sup> David Shortell , & Julie Turkewitz. *Venezuelans Who Left Everything behind Are Stuck South of U.S. Border*. N.Y. TIMES, (Oct. 24 2022) <https://www.nytimes.com/2022/10/24/world/americas/venezuela-migrants-biden-mexico.html>.



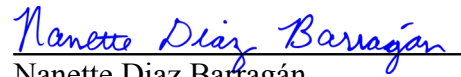
Alexandria Ocasio-Cortez  
Member of Congress



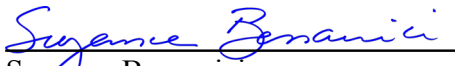
Mary Gay Scanlon  
Member of Congress



Barbara Lee  
Member of Congress



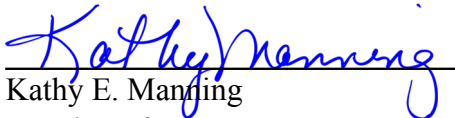
Nanette Diaz Barragán  
Member of Congress



Suzanne Bonamici  
Member of Congress




Sylvia R. Garcia  
Member of Congress



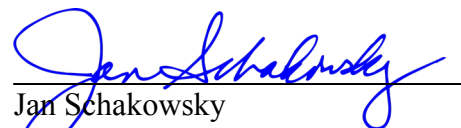
Kathy E. Manning  
Member of Congress



Veronica Escobar  
Member of Congress



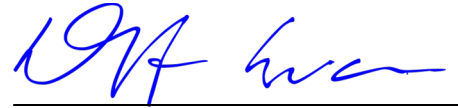
Donald M. Payne, Jr.  
Member of Congress



Jan Schakowsky  
Member of Congress




Dina Titus  
Member of Congress



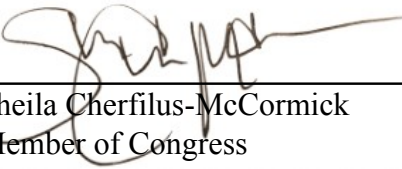
Dwight Evans  
Member of Congress



Eleanor Holmes Norton  
Member of Congress




Mike Quigley  
Member of Congress



Sheila Cherfilus-McCormick  
Member of Congress



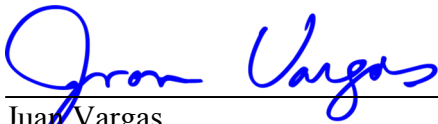
Troy Carter  
Member of Congress



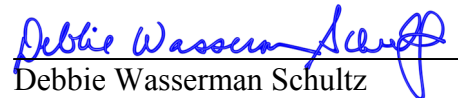
Frederica S. Wilson  
Member of Congress



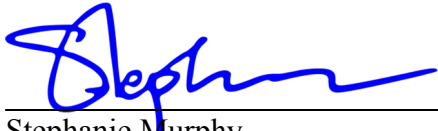
Bonnie Watson Coleman  
Member of Congress



Juan Vargas  
Member of Congress

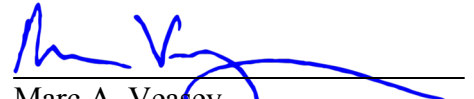


Debbie Wasserman Schultz  
Member of Congress



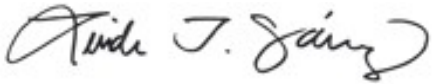
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Stephanie Murphy  
Member of Congress



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Marc A. Veasey  
Member of Congress



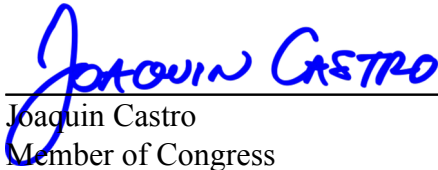
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Linda T. Sánchez  
Member of Congress



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Darren Soto  
Member of Congress



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Joaquin Castro  
Member of Congress



U.S. Citizenship  
and Immigration  
Services

February 21, 2023

The Honorable Gregory W. Meeks  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Meeks:

Thank you for your December 22, 2022 letter to the Department of Homeland Security (DHS) requesting a redesignation of Temporary Protected Status (TPS) for Venezuela. U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program. Secretary Mayorkas asked that I respond on his behalf.

I appreciate the concerns you have outlined regarding the situation in Venezuela and your interest in its redesignation for TPS to benefit those who entered the United States after March 9, 2021. As you know, on July 11, 2022, after careful consideration, including a thorough review of the country conditions and consultation with interagency partners, Secretary Mayorkas announced the extension of TPS for Venezuela for 18 months, from September 10, 2022, through March 10, 2024. DHS is closely monitoring conditions in Venezuela and, like you, is concerned about the ongoing situation. DHS is committed to administering its programs in an equitable manner. Decisions regarding TPS designations are made after consultation with interagency partners and careful consideration of the circumstances of the country, pursuant to specific statutory criteria. See Immigration and Nationality Act §§ 244(b)(1) and 244(b)(3). As required by the statute, at least 60 days before the expiration of a foreign state'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 the TPS designation continue to be met. DHS will consult with the Department of State to explore whether to extend and/or to redesignate Venezuela for TPS.

As you mentioned, DHS implemented a new process for Venezuelans fleeing the humanitarian and economic crisis in Venezuela to seek protection in the United States. Since implementation of the process in October 2022, we lifted the initial 24,000 cap with the announcement in January 2023 of additional parole processes for Cubans, Haitians and Nicaraguans. With the launch of these new processes, there is now a monthly cap that allows for a cumulative total of 30,000 nationals from all four countries to reside legally in the United States for up to two years and to receive permission to work here during that period. With the initial cap for the Venezuela process lifted, USCIS is able to process the backlog of Venezuelan cases that were submitted after October 18<sup>th</sup>. USCIS also implemented a new process to

**The Honorable Gregory W. Meeks**

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facilitate applications for this parole process using Form I-134A, which is free for both the sponsor and beneficiary.

USCIS has applied technological solutions and efficiencies to reduce processing times for applications for certain categories of employment authorization documents (EADs), including for parolees, and is actively identifying further efficiencies to reduce processing times for all EAD categories.

USCIS also offers support that may be available upon request to assist eligible Venezuelan nationals who have been affected by conditions there, including the following:

- Change or extension of nonimmigrant status if eligible Venezuelan 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 in Venezuela; 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 have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Sincerely,

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