

March 13, 2019

The Honorable Kirstjen Nielsen
Secretary of Homeland Security
U.S. Department of Homeland Security
Nebraska Avenue Complex
3801 Nebraska Ave. NW
Washington, D.C. 20016

The Honorable Michael Pompeo
Secretary of State
U.S. Department of State
2201 C St., NW
Washington, D.C. 20520

RE: REQUEST TO DESIGNATE VENEZUELA FOR TEMPORARY PROTECTED STATUS

Dear Secretaries Nielsen and Pompeo:

The 219 undersigned national, state, and local organizations in the areas of immigration, civil rights, human rights, labor, faith, and education respectfully request that you designate Venezuela for Temporary Protected Status (TPS) under INA § 244. The extraordinary and temporary conditions in Venezuela, including ongoing civil unrest and devastating humanitarian crisis, prevent the safe return of Venezuelan nationals and satisfy the statutory criteria for TPS designation. Designating Venezuela for TPS would potentially safeguard the lives of 72,000 Venezuelan nationals and their families.¹ This request mirrors recently introduced, bipartisan, bicameral legislation that would direct Department of Homeland Security to issue a grant of TPS to Venezuela.²

Congress established TPS to provide the Executive Branch the authority to provide an abeyance from deportation for nationals who cannot be safely returned to their countries.³ Specifically, under INA § 244, the Secretary may designate a country for TPS if she “finds that there is an ongoing armed conflict within the state and, due to such conflict, requiring the return of aliens who are nationals of that state to that state . . . would pose a serious threat to their personal safety;” or “there exist extraordinary and temporary conditions in the foreign state that prevent aliens who are nationals of the state from returning to the state in safety.”⁴

Venezuela satisfies all these criteria as, beginning in April of 2017, Venezuela has faced unprecedented civil crisis, leading to an exodus of refugees; government-sanctioned

¹ The 72,000 estimate is likely conservative, but a best estimate. Arguably, the number of folks who would be eligible is larger because there would be a portion or percentage of Venezuelans who have already entered the United States on non-immigrant visas who would transition to TPS, if designated. The U.S. Department of State reports the number of visa entrants for each year, per country, and State's projections would likely be helpful in future efforts to better define this population.

² Venezuela TPS Act of 2019, H.R. 549, 116th Cong. (2019); Venezuela TPS Act of 2018, S. 3759, 115th Cong. (2018).

³ INA § 244, 8 U.S.C. § 1254a (West 2019).

⁴ *Id.* at (b).

persecution and killings;⁵ pervasive crime; and medicine and food shortages.⁶ Violent protests and demonstrations continue to this day and are coupled with an erosion in civil and human rights; press repression; use of arbitrary arrests and detention; and spontaneous riots.⁷ As of 2017, Venezuela’s homicide rate was 89 per 100,000 people, dramatically higher than our country’s rate of 5.3 per 100,000 people; and second only to El Salvador.⁸ The State Department currently has a travel advisory, warning U.S. citizens from visiting the country as a result of a “social unrest, violent crime, and pervasive food and medicine shortages;” and stating that “[i]ndiscriminate violent crime is endemic throughout the country and can occur anywhere at any time.”⁹ Four of the top ten most dangerous cities in the world are in Venezuela.¹⁰

TPS has strict criminal background criteria, disqualifying applicants based on felony and misdemeanor convictions.¹¹ Moreover, under TPS, applicants must register with the government, provide their biometric information and submit themselves to a criminal background and national security check. TPS for Venezuela would not only be an appropriate use of the authority granted by Congress, but a critical tool to meet the goals of your administration to enhance our nation’s security and safety. Finally, designating TPS for Venezuela satisfies our country’s deeply held moral values that underlie the law itself: we do not turn our backs on those in need and we do not return people to countries where their lives or freedom would be at risk.

Thank you for your consideration of this request. If you have any questions, please contact Jill Marie Bussey, CLINIC’s Director of Advocacy, at (301) 565-4844 or at jbussey@cliniclegal.org.

Sincerely,

National Organizations

ABISA

⁵ Anthony Faiola, *Two dead after Venezuelan soldiers open fire on opposition supporters*, THE WASHINGTON POST, Feb. 22, 2019, https://www.washingtonpost.com/world/the_americas/one-dead-multiple-injured-after-venezuelan-national-guard-opens-fire-on-opposition-supporters/2019/02/22/09d60f1a-3518-11e9-8375-e3dcf6b68558_story.html.

⁶ Zuzana Cepla, *Bill Summary: Venezuela TPS Act*, National Immigration Forum, Feb. 12, 2019, <https://immigrationforum.org/article/bill-summary-venezuela-tps-act/>; THE OVERSEAS SECURITY ADVISORY COUNCIL, U.S. DEPARTMENT OF STATE, *Venezuela 2018 Crime & Safety Report* (April 2, 2018), <https://www.osac.gov/Pages/ContentReportDetails.aspx?cid=23791>.

⁷ *Id.*

⁸ *Id.*

⁹ U.S. EMBASSY IN VENEZUELA, U.S. DEPARTMENT OF STATE, *Venezuelan Travel Advisory* (July 27, 2017), <https://ve.usembassy.gov/venezuelan-travel-warning/>.

¹⁰ THE OVERSEAS SECURITY ADVISORY COUNCIL, U.S. DEPARTMENT OF STATE, *Venezuela 2018 Crime & Safety Report* (April 2, 2018), <https://www.osac.gov/Pages/ContentReportDetails.aspx?cid=23791>.

¹¹ INA § 244(c)(2)(B), 8 U.S.C. § 1254a(c)(2)(B) (West 2019).

Alianza Americas
America's Voice
American Immigration Lawyers Association
Americans for Immigrant Justice
Anti-Defamation League
Asian Americans Advancing Justice (AAAJ)
AsylumConnect
Catholic Legal Immigration Network, Inc.
Center for Victims of Torture
Church World Service
Congregation of Our Lady of the Good Shepherd, US Provinces
Congregation of Sisters of St. Agnes
Congregation of St. Joseph
Daughters of Charity
Disciples Refugee and Immigration Ministries
Dominican Sisters of Adrian
Dominican Sisters of Sparkill
ELCA
Grey Nuns of the Sacred Heart
Hispanic Federation
Hope Border Institute/Instituto Fronterizo Esperanza
Human Rights First
IHM Sisters
IIBA
Interfaith Center on Corporate Responsibility
Interfaith Worker Justice
International Rescue Committee (IRC)
Justice, Peace and Reconciliation Commission, Priests of the Sacred Heart, US Province
Latino Pastoral Action Center
Leadership Conference of Women Religious
Leadership Team of the Felician Sisters of North America
Lutheran Immigration and Refugee Service
Missionary Servants of the Most Holy Trinity
National Advocacy Center of the Sisters of the Good Shepherd
National Council of Jewish Women
National Immigrant Justice Center
National Immigration Forum
National Network for Immigrant and Refugee Rights
NETWORK Lobby for Catholic Social Justice
Office of Social Justice, Christian Reformed Church in North America
Province of St. Joseph of the Capuchin Order

Provincial Council Clerics of St. Viator
RAICES
Refugees International
School Sisters of Notre Dame - Central Pacific Province
Service Employees International Union (SEIU)
Sisters of Charity of Nazareth Congregational Leadership
Sisters of Charity of Nazareth Western Province Leadership
Sisters of Charity, BVM
Sisters of St. Francis of the Neumann Communities
Sisters of St. Joseph, TOSF
Sisters of the Presentation of the Blessed Virgin Mary, New Windsor, NY
Srs. of St. Joseph of Carondelet
SSND
The America Team for Displaced Eritreans
The Episcopal Church
Tikkun/Network of Spiritual Progressives
U.S. Committee for Refugees and Immigrants
UM Church and Society
UnidosUS
Union for Reform Judaism
Unitarian Universalist Service Committee
US Catholic Sisters Against Human Trafficking
Veterans for American Ideals
Washington Office on Latin America (WOLA)
Win Without War
World Relief
Wyoming Coalition Against Domestic Violence and Sexual Assault

State and Local Organizations

Arkansas:

Arkansas United
Catholic Immigration Service- Little Rock

Arizona:

Episcopal Church of St. Matthew

California:

AB 540 Ally Training Project
Alianza
Beacon Presbyterian Fellowship

Canal Alliance
Catholic Charities of Orange County, Inc.
Clergy & Laity United for Economic Justice
Franciscans for Justice
Haitian Bridge Alliance
HUG "For The Making Of New Americans"
IILA
International Institute of the Bay Area
Lutheran Church of Our Redeemer
Pilipino Workers Center
Retired-Diocese of Oakland
Sacramento Food Bank & Family Services, an affiliate of Catholic Charities of Sacramento, Inc.
Services, Immigrant Rights & Education Network (SIREN)
Sisters of St. Francis, St. Francis province
St. John's Presbyterian Church in Berk
Coalition for Humane Immigrant Rights (CHIRLA)

Colorado:

AFSC Colorado

Connecticut:

Catholic Charities of Fairfield County
Connecticut Institute for Refugees and Immigrants

Florida:

Catholic Charities DOV Inc.
Catholic Legal Services, Archdiocese of Miami
Friends of Broward Detainees
Immigration & Legalization Center

Georgia:

Asian Americans Advancing Justice- Atlanta
Be One Together
Episcopal Diocese of Atlanta

Iowa:

Crossing Borders- Dubuque
Franciscan Peace Center
Sisters of St. Francis Charitable Trust, Dubuque

Idaho:

Centro de Comunidad y Justicia

Illinois:

Centro Romero
Champaign-Urbana Immigration Forum
Erie Neighborhood House
Frida Kahlo Community Organization
Illinois Coalition for Immigrant and Refugee Rights
MCS Mission Interpreters
University YMCA New American Welcome Center
West Suburban Faith-Based Peace Coalition

Kansas:

Advocates for Immigrant Rights and Reconciliation
Catholic Agency
Immigrant Family Support Network
Office of Justice, Peace, and Integrity of Creation, Sisters of Charity of Leavenworth
Sisters of St. Joseph of Concordia, Kansas

Kentucky:

Kentucky Coalition for Immigrant and Refugee Rights
Kentucky Equal Justice Center
Western Kentucky Refugee Mutual Assistance Society Inc.

Louisiana:

Catholic Diocese of Lafayette
Jesuit Social Research Institute/Loyola University New Orleans

Massachusetts:

Berkshire Immigrant Center
Catholic Charities Archdiocese of Boston
Catholic Charities Boston Refugee and Immigration Services
Crawford Memorial U.M.C.
International Institute of New England
La Comunidad, Inc.
Sisters of St. Joseph of Boston

Maryland:

Asylee Women Enterprise
DC-MD Justice for Our Neighbors

Michigan:

Dominican Sisters - Grand Rapids
International Institute of Detroit, Inc.
International Institute of Metropolitan Detroit
Justice for Our Neighbors-Michigan
Michigan Immigrant Rights Center
Michigan United
Voces

Missouri:

Catholic Charities of Central and Northern Missouri
Community Legal Access
Holy Spirit Adoration Sisters
International Institute of St. Louis
JVS (Jewish Vocational Services)
Migrant and Immigrant Community Action Project
Refugee and Immigration Services, Catholic Charities of Central and Northern Missouri
Sisters Of the Most Precious Blood of O'Fallon, MO
St. Francis Community Services

Mississippi:

Mississippi Center for Justice
Mississippi Immigrants Rights Alliance

North Carolina:

Comunidad Colectiva
Latin American Coalition
Western NC Sanctuary Movement

New England:

Sisters of Mercy West Midwest Community

New Jersey:

Lutheran Episcopal Advocacy Ministry NJ

New Mexico:

Advocate Visitors with Immigrants in Detention in the Chihuahuan Desert
AVID CD
CASA REINA
New Mexico Immigrant Law Center
Sisters of Our Lady of Guadalupe and St. Joseph

Nevada:

Progressive Leadership Alliance of Nevada

New York:

Adhikaar

Cabrini Immigrant Services of NYC, Inc.

Catholic Charities Tompkins Tioga

Catholic Migration Services

CDWBA Legal Project, Inc.

Church Women United in New York State

Community Legal Advocates of New York

Greater New York Labor Religion Coalition

Jacob A. Riis Neighborhood Settlement

Kids for College

New Hope Free Methodist Church

New York Immigration Coalition

NYS Interfaith Network for Immigration Reform

Sisters of St Joseph

Sisters of St. Dominic of Blauvelt, New York

Wayne Action for Racial Equality

Ohio:

Cleveland Jobs with Justice

Franciscan Sisters of the Poor, US Area

Intercommunity Justice and Peace Center

Ohio Immigrant Alliance

Region VI Coalition for Responsible Investment

Pennsylvania:

HIAS Pennsylvania

Nationalities Service Center

Pennsylvania Council of Churches

Pittsburgh LCLAA

Sisters of St. Francis of Philadelphia

Sisters of the Humility of Mary

St. Andrew Lutheran Church

St. Paul's United Church of Christ, Mechanicsburg

Thrive International Programs, Inc.

South Carolina:

Carolina Immigrant Alliance
Diocese of Charleston

South Dakota:

Caminando Juntos
Pax Christi Southeastern South Dakota
Sisters of the Presentation of the BVM

Tennessee:

Advocates for Immigrant Rights
Catholic Charities of West TN
Tennessee Justice for Our Neighbors

Texas:

Catholic Charities of Central Texas
Convencion Bautista Hispana de Texas
Iglesia Bautista Victoria en Cristo
La Union del Pueblo Entero
Opening Doors International Services, Inc
ProBAR
Rays of Freedom Non Profit Organization
Refugee Support Network
Ruth Project: Immigrant Services
Spiritual Guidance Ministry

Virginia:

LUCHA Ministries, Inc.

Washington:

Immigrant and Refugee Covenant Group
Kitsap Immigrant Assistance Center
OneAmerica
Wallingford Indivisible

Wisconsin:

Catholic Multicultural Center
End Domestic Abuse WI

Washington, D.C.:

APALRC

Catholic Charities of the Archdiocese of Washington
Central American Resource Center