

**Congress of the United States**  
**Washington, DC 20515**

SCANNED/RECEIVED  
BY EXEC SEC

2018 JUL 13 PM 3: 33

July 13, 2018

The Honorable Kirstjen Nielsen  
Secretary  
U.S. Department of Homeland Security  
Washington, DC 20528

The Honorable Mike Pompeo  
Secretary  
U.S. Department of State  
Washington, DC 20520

Dear Secretary Nielsen and Secretary Pompeo:

We are writing to express our support for the reauthorization of Temporary Protected Status (TPS) for Somalia. We respectfully urge you to redesignate and extend Somalia's existing TPS designation for eighteen months, from September 17, 2018 through March 17, 2020.

TPS provides temporary lawful status to foreign nationals in the United States from countries experiencing armed conflict, natural disaster, or other extraordinary circumstances that prevent their safe return.<sup>i</sup> In the case of Somalia, all three considerations exist: armed conflict, natural disaster, and extraordinary insecurity throughout Somalia. These conditions would place Somali nationals at grave risk if they were forced to return. Returning hundreds of nationals would further destabilize the country, threatening the U.S. interest in a stable, peaceful Somalia.

Armed conflict and targeted attacks on civilians continue to cause massive loss of life among Somalis. Somalia is the most conflict-affected country in Africa, with terrorist groups affiliated with both Al Qaeda and the Islamic State operating in the country.<sup>ii</sup> Accurate statistics are elusive for Somalia, but some datasets suggest that almost 2,000 people have been killed in armed conflict and targeted attacks on civilians since the beginning of 2018.<sup>iii</sup> In 2017, as many as 6,000 Somalis may have been killed, including more than 1,000 killed by targeted violence against civilians.<sup>iv</sup> Of the reported deaths in 2017, the Al Qaeda affiliate Al-Shabab was responsible for most of the fatalities,<sup>v</sup> including over 500 deaths in the devastating attacks of October 14, 2017 in Mogadishu.<sup>vi</sup> That incident demonstrated Al Shabaab's continued ability to conduct attacks in the heart of government-held territory.

In 2017, U.S. troops reached their highest level since 1993 in response to the growing presence of ISIS and the persistent threat of Al-Shabaab.<sup>vii</sup> Despite continued support by donors, and some progress made by the Federal Government, U.S., and the allied African Union forces, Somalia remains unsafe and unstable, as evidenced by the fact that the U.S. Mission to Somalia has been unable to permanently relocate to Somalia, instead maintaining its headquarters in neighboring Kenya.<sup>viii</sup> While diplomats are traveling more frequently to the Somali capital, they are still restricted from leaving the airport compound, a clear indication of ongoing security threats.

Returning foreign nationals are at particular risk of violence and religious persecution. Al-Shabaab has targeted violence towards Somalis who are religious minorities or disagree with Al-Shabaab religious edicts; returning refugees and displaced persons; and Somalis who have contact with the Somali government or international humanitarian agencies, whom Al-Shabaab accuses of spying.<sup>ix</sup> Al-Shabaab has specifically targeted Somalis returning from outside of the country for persecution, sexual violence, forced conscription into Al-Shabaab, and killing.<sup>x</sup> It is highly likely that Somali TPS holders returning from the United States would be targeted targets by Al-Shabaab and face persecution and death if returned.


Recent environmental disasters, including famine and flood, are causing widespread hunger, mass displacement, and contagious disease. Somalia's humanitarian crisis is one of the world's most complex and longstanding emergencies. Prolonged drought conditions since 2016 have devastated Somalia, with over 5.4 million people – nearly half of the population – currently facing food insecurity.<sup>xi</sup> The country narrowly avoided famine last year as a result of a major humanitarian response, but 2.7 million are still experiencing emergency conditions. An estimated 2.6 million people are displaced internally, with more than 1.6 million Somalis displaced since January 2017 alone.<sup>xii</sup> Over 800,000 have been affected by flooding since April 2018, with almost 300,000 people displaced.<sup>xiii</sup> The flooding has also worsened famine conditions and conditions in refugee camps and contributed to a growing cholera outbreak and the spread of malaria and measles.

The Somali government is not yet able to secure its territory, and therefore unable to provide for the safety of returning Somali nationals. Somalia has consistently ranked over the past decade as the world's first or second most fragile state. Somalia's progress toward reestablishing central and state authorities is laudable, but the country is far from stable. The central government in Mogadishu remains heavily reliant on African Union forces to regain and secure territory from Al Shabaab, and even within territory under its nominal control it is not able to protect civilians from targeted violence or provide for basic needs. Al Shabaab continues to control a large amount of Somalia's rural territory and certain urban centers in southern and central Somalia, and its presence in northeast Somalia has expanded, according to U.N. sanctions monitors.<sup>xiv</sup> Likewise, the Islamic State's local affiliate has reportedly grown. These circumstances prevent the safe return of Somali nationals in the U.S. to Somalia.

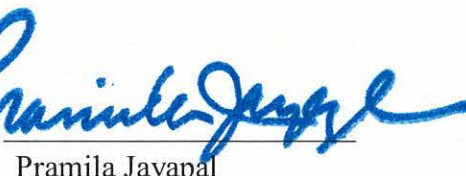
The severe humanitarian and security challenges which Somalia has faced in recent years have prompted a series of administrations, both Republican and Democratic, to extend TPS for Somalia. Given the current conditions, we believe both the extension and redesignation of TPS for Somalia is justified.


We respectfully urge you to give full and favorable consideration to the redesignation of TPS for Somalia, and to extend the existing TPS designation for eighteen months, from September 17, 2018 through March 17, 2020.


Sincerely,

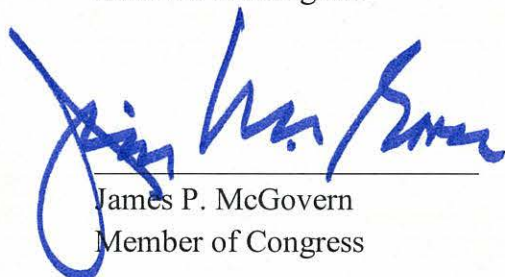
  
Keith Ellison  
Member of Congress


  
Yvette D. Clarke  
Member of Congress

  
Pramila Jayapal  
Member of Congress

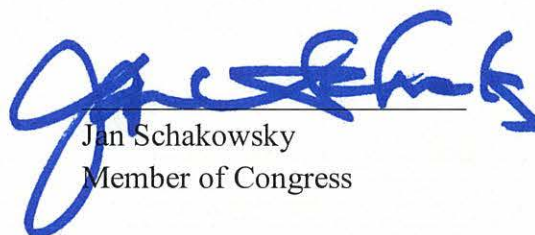
  
Nydia M. Velázquez  
Member of Congress

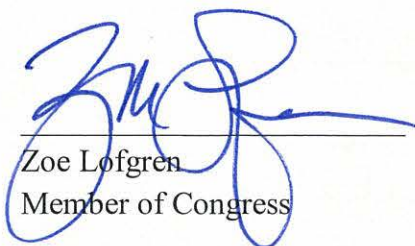
  
Eleanor Holmes Norton  
Member of Congress

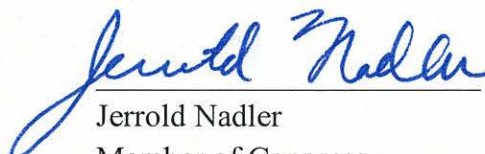
  
James P. McGovern  
Member of Congress

  
Chellie Pingree  
Member of Congress

  
Diana DeGette  
Member of Congress

  
Jan Schakowsky  
Member of Congress

  
Zoe Lofgren  
Member of Congress

  
Jerrold Nadler  
Member of Congress






Andre Carson  
Member of Congress



Tim Walz  
Member of Congress



Alan Lowenthal  
Member of Congress



Alcee L. Hastings  
Member of Congress



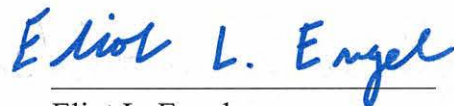
Gwen Moore  
Member of Congress



Betty McCollum  
Member of Congress



Bonnie Watson Coleman  
Member of Congress



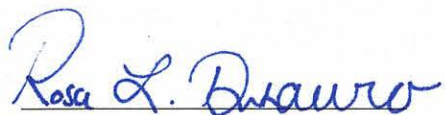
Eliot L. Engel  
Member of Congress



Frederica S. Wilson  
Member of Congress



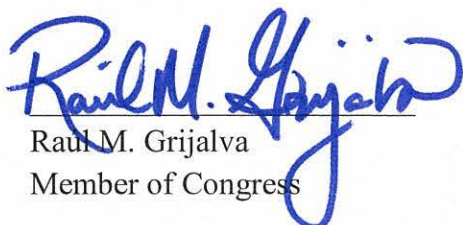
Barbara Lee  
Member of Congress



Rosa DeLauro  
Member of Congress



Elijah E. Cummings  
Member of Congress



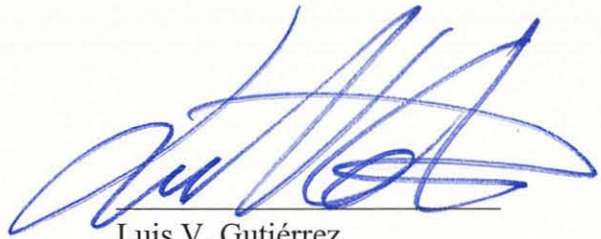
Raul M. Grijalva  
Member of Congress



Adriano Espaillat  
Member of Congress



Gregory W. Meeks  
Member of Congress



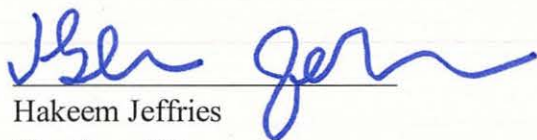
Luis V. Gutiérrez  
Member of Congress



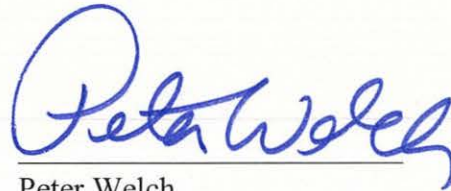
Mark Pocan  
Member of Congress



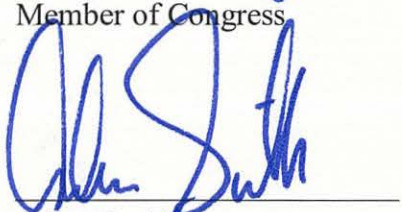
Peter A. DeFazio  
Member of Congress



Hakeem Jeffries  
Member of Congress



Peter Welch  
Member of Congress



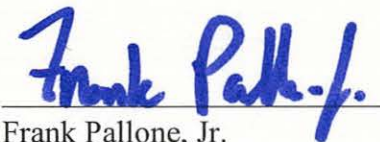
Adam Smith  
Member of Congress



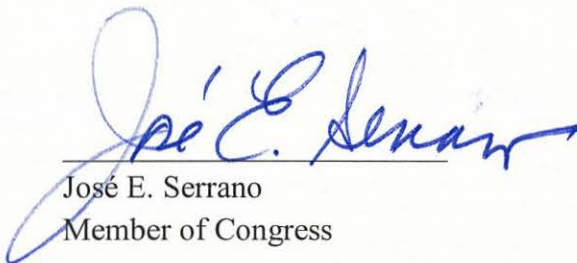
Ro Khanna  
Member of Congress



Rick Larsen  
Member of Congress



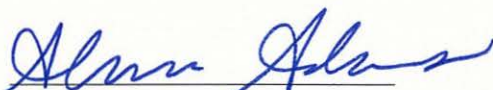
Frank Pallone, Jr.  
Member of Congress



José E. Serrano  
Member of Congress



Eddie Bernice Johnson  
Member of Congress



Alma S. Adams, Ph.D.  
Member of Congress



Ted Deutch  
Member of Congress

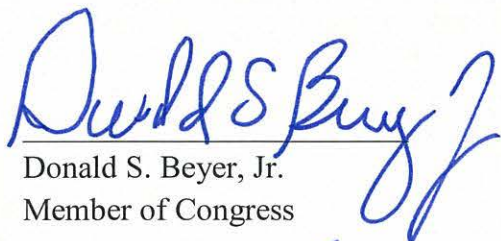




Michael E. Capuano  
Member of Congress



Rick Nolan  
Member of Congress



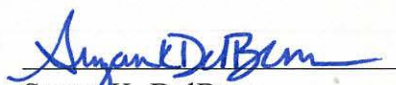
Donald S. Beyer, Jr.  
Member of Congress



Dina Titus  
Member of Congress



Ruben Gallego  
Member of Congress



Suzan K. DelBene  
Member of Congress



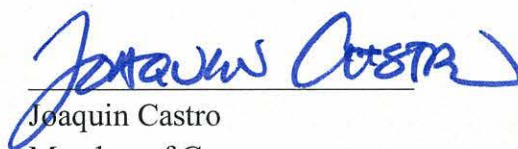
Mike Quigley  
Member of Congress



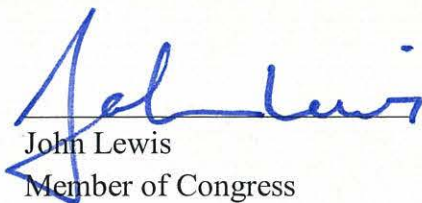
Debbie Dingell  
Member of Congress



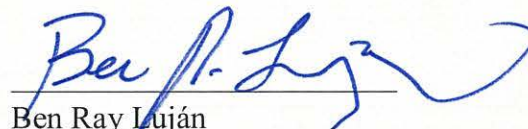
Robert A. Brady  
Member of Congress



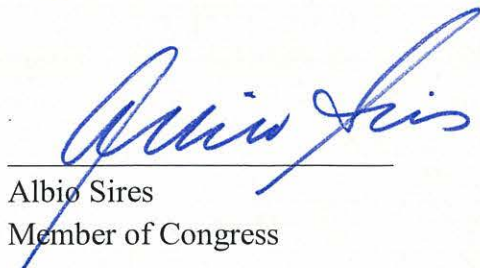
Joaquin Castro  
Member of Congress



John Lewis  
Member of Congress



Ben Ray Lujan  
Member of Congress



Albio Sires  
Member of Congress



Henry C. "Hank" Johnson, Jr.  
Member of Congress



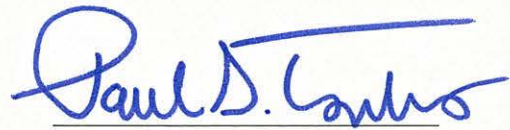
Donald M. Payne, Jr.  
Member of Congress



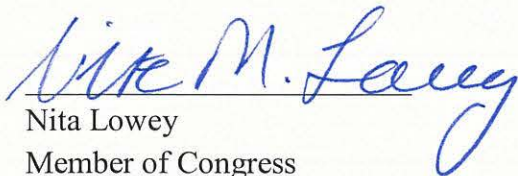
John A. Yarmuth  
Member of Congress



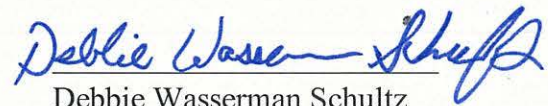
Beto O'Rourke  
Member of Congress



Paul Tonko  
Member of Congress



Nita Lowey  
Member of Congress



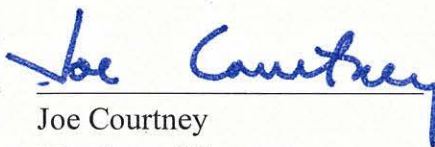
Debbie Wasserman Schultz  
Member of Congress



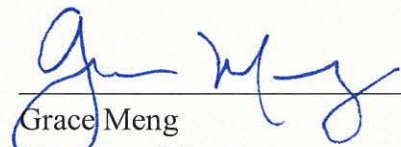
Juan Vargas  
Member of Congress



David E. Price  
Member of Congress



Joe Courtney  
Member of Congress



Grace Meng  
Member of Congress



A. Donald McEachin  
Member of Congress



Karen Bass  
Member of Congress



Anthony G. Brown  
Member of Congress



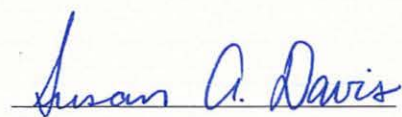
Brenda L. Lawrence  
Member of Congress






---

Jimmy Panetta  
Member of Congress



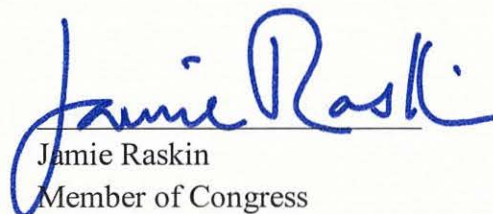
---

Susan A. Davis  
Member of Congress




---

Earl Blumenauer  
Member of Congress



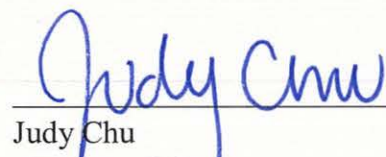
---

Jamie Raskin  
Member of Congress



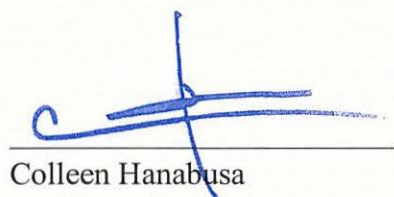
---

Denny Heck  
Member of Congress



---

Judy Chu  
Member of Congress



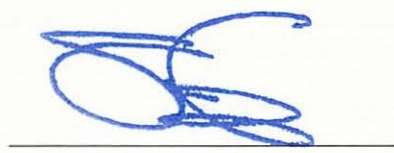
---

Colleen Hanabusa  
Member of Congress




---

Derek Kilmer  
Member of Congress



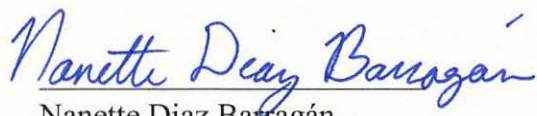
---

Sean Patrick Maloney  
Member of Congress



---

Robert C. "Bobby" Scott  
Member of Congress



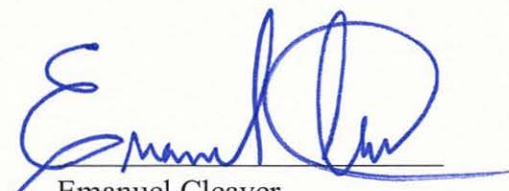
---

Nanette Diaz Barragán  
Member of Congress



---

Sheila Jackson Lee  
Member of Congress



---

Emanuel Cleaver  
Member of Congress



---

Katherine Clark  
Member of Congress



  
Joyce Beatty

Member of Congress

  
Darren Soto

Member of Congress

---

<sup>i</sup> Jill H. Wilson, Congressional Research Service, "Temporary Protected Status: Overview and Current Issues," May 15, 2018, at 1.

<sup>ii</sup> Armed Conflict Location and Event Data Project, "Somalia September 2017 Update,

<sup>iii</sup> Armed Conflict Location and Event Data Project, <https://www.acleddata.com/dashboard/#706> (last accessed June 14, 2018).

<sup>iv</sup> *Id.*

<sup>v</sup> Africa Center for Strategic Studies, "More Activity but Fewer Fatalities Linked to African Militant Islamist Groups in 2017," January 26, 2018, <https://africacenter.org/spotlight/activity-fewer-fatalities-linked-african-militant-islamist-groups-2017/> (last accessed June 14, 2018).

<sup>vi</sup> U.N. Assistance Mission in Somalia (UNSOM), "Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia,"

[https://unsom.unmissions.org/sites/default/files/protection\\_of\\_civilians\\_report\\_20171210\\_2.pdf](https://unsom.unmissions.org/sites/default/files/protection_of_civilians_report_20171210_2.pdf).

<sup>vii</sup> Abdi Guled, The Associated Press and Cara Anna, The Associated Press, *in* Military Times, "US-targeted ISIS in Somalia could be a 'significant threat,'" November 13, 2017.

<sup>viii</sup> U.S. Mission to Somalia, <https://so.usmission.gov> (last accessed June 14, 2018).

<sup>ix</sup> U.S. Department of State, 2017 International Religious Freedom Report, *available at* <https://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2017&dliid=280786>; Human Rights Watch, World Report 2017: Somalia, *available at* <https://www.hrw.org/world-report/2017/country-chapters/somalia>; Jason Burke, "Al-Shabaab Plundering Starving Somali Villages of Cash and Children," THE GUARDIAN, Feb. 21, 2018.

<sup>x</sup> Asylum Research Consultancy, *Situation in South and Central Somalia (including Mogadishu)*, Jan. 25, 2018, 460-66, *available at* <http://www.refworld.org/pdfid/5a6f16d44.pdf>; Austl. Gov't, Dep't of Foreign Affairs & Trade, *DFAT Country Information Report Somalia*, June 13, 2017, at 12, *available at* <http://dfat.gov.au/about-us/publications/Documents/country-information-report-somalia.pdf>; *see also* Mary Harper, "Somalis sent back home in fear of al-Shabab," BBC News, June 16, 2014, *available at* <https://www.bbc.com/news/world-africa-27817431>.

<sup>xi</sup> USAID, "Food Assistance Fact Sheet – Somalia," May 4, 2018, <https://www.usaid.gov/somalia/food-assistance>

<sup>xii</sup> UN OCHA, Somalia: Humanitarian Dashboard – May 2018, June 14, 2018.

<sup>xiii</sup> UN News, "From drought to floods in Somalia; displacement and hunger worsen, says UN," June 8, 2018, <https://news.un.org/en/story/2018/06/1011741>. UN OCHA, Somalia: Humanitarian Dashboard – May 2018, June 14, 2018.

<sup>xiv</sup> UN Security Council, *Report of the Monitoring Group on Somalia and Eritrea*, November 2, 2018.



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

August 6, 2018

The Honorable Keith Ellison  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Ellison:

Thank you for your July 13, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designation for Somalia. The Secretary of Homeland Security's authority to designate a country for TPS and to extend or terminate a country's existing designation is based upon specific statutory criteria. *See* Immigration and Nationality Act (INA) § 244(b). U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

At least 60 days before the current expiration date for a TPS designation, the Secretary must review conditions in the foreign country and, after consultation with other appropriate federal agencies, determine whether the statutory conditions for TPS continue to be met. Under the INA, if the Secretary determines that the conditions for designation continue to be met with respect to a country, the designation must be extended. However, if the Secretary determines that the conditions are no longer met with respect to a country, the Secretary is required to terminate the designation. *See* INA § 244(b)(1),(3).

On July 19, 2018, after carefully considering relevant conditions in Somalia and the statutory TPS requirements, Secretary Nielsen announced her determination to extend the TPS designation for Somalia for 18 months, through March 17, 2020. Prior to the conclusion of this 18-month extension, the Secretary will review conditions in Somalia and, after consultation with other appropriate federal agencies, determine whether another extension or a termination is warranted, in full compliance with the INA.

Additional information on the extension of TPS for Somalia can be found in Secretary Nielsen's July 19, 2018 announcement of the decision posted on the Department of Homeland Security's website, on the USCIS website, and in a notice that will be published in the *Federal Register*.



The Honorable Keith Ellison

Page 2

Thank you again for your letter and interest in this important issue. The co-signers of your letter will receive separate, identical responses. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative and Intergovernmental Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in blue ink, appearing to read "LFC", is positioned above the printed name.

L. Francis Cissna  
Director