

# United States Senate

WASHINGTON, DC 20510

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January 29, 2018

The Honorable Rex Tillerson  
Secretary of State  
U.S. Department of State  
Washington, DC 20520

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

Dear Secretary Tillerson and Secretary Nielsen:

We write to urge you to extend and re-designate Temporary Protected Status (TPS) for Syria which is due to expire in March of this year.

Syria received a TPS designation in 2012 “due to the violent conflict and the deteriorating humanitarian crisis” that is ongoing in the country. There are currently 6,916 Syrians that benefit from TPS with 5,800 expected to re-register.<sup>1</sup> Their protection is set to expire on March 31, pending a decision to renew or terminate the status by the Secretary of the Department of Homeland Security (DHS) due by January 30.

DHS last renewed the designation in 2016 because the reasons for the original TPS designation had been sustained or further deteriorated. Based on the State Department’s January 10, 2018 Travel Advisory<sup>2</sup> declaring that “**no part of Syria is safe from violence**” and recent comments by this Administration, to include Secretary Tillerson’s Syria Strategy speech on January 17<sup>3</sup> and Ambassador Haley’s remarks about Asad’s ongoing use of chemical weapons on January 23<sup>4</sup>, we feel strongly that the justification for extension and re-designation has only strengthened.

According to the United Nations, over 400,000 people have been killed in the Syrian conflict since 2011 and millions more injured and displaced.<sup>5</sup> The American Relief Coalition for Syria, a coalition of 13 Syrian-American relief organizations, stated that forcing TPS holders to return to Syria would be “unthinkable.” In addition to the rampant violence, the humanitarian situation in Syria and in the surrounding countries is catastrophic, with over half of the Syrian population displaced and at least 13.5 million Syrians in desperate need of humanitarian support.

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<sup>1</sup> CRS Report, January 17, 2018: “[Temporary Protected Status: Overview and Current Issues](#).”

<sup>2</sup> State Department Bureau of Consular Affairs: “[Syria Travel Advisory](#)” Updated January 2018

<sup>3</sup> [Remarks on the Way Forward for the United States Regarding Syria](#); Secretary Tillerson at the Hoover Institute, January 17, 2018

<sup>4</sup> [Remarks at a UN Security Council Meeting on Chemical Weapons Use in Syria](#); U.S. Permanent Representative to the United Nations Ambassador Nikki Haley on January 23, 2018

<sup>5</sup> Foreign Policy, April 22, 2016: “[U.N. Envoy Revises Syria Death Toll to 400,000](#)”

The State Department Human Rights Report released in 2017 stated, "The Asad government reportedly continued to use indiscriminate and deadly force against civilians, conducting air and ground-based military assaults on cities, residential areas, and civilian infrastructure. Attacks reported against schools, hospitals, mosques, churches, synagogues, and houses were common throughout the country."<sup>6</sup> The January 2018 travel advisory also added, "Kidnappings, the use of chemical warfare, shelling, and aerial bombardment have significantly raised the risk of death or serious injury. The destruction of infrastructure, housing, medical facilities, schools, and power and water utilities has also increased hardships inside the country." In the last year since the re-designation, over 700,000 Syrians have registered as refugees and at least 10,000 additional civilians were reportedly killed as the conflict rages on. These alarming numbers are even more serious when considering that the UN and other NGOs have reported a funding gap of at least 50 percent and continue to face extreme difficulty accessing vulnerable populations to provide life-saving assistance.

We would also note that in early December last year, the Department of Defense stated that 2,000 U.S. troops are deployed in Syria in the fight against ISIS.<sup>7</sup> It would be unthinkable to return civilians to an active war zone while we consider our military campaign unfinished.

Again, we strongly urge you to extend and re-designate TPS for Syria because the state of war continues and conditions in the country pose a serious threat to their personal safety. Given the turmoil in Syria, including killings, attacks against civilians, lack of medical care, and food insecurity, returning TPS holders is akin to a death sentence. To ensure vulnerable populations like Syrians are shielded from peril, TPS for Syrians must not be terminated.

Sincerely,



Tim Kaine  
United States Senator



Benjamin L. Cardin  
United States Senator



Jack Reed  
United States Senator



Elizabeth Warren  
United States Senator

<sup>6</sup> State Department Report: [Annual Country Report on Human Rights in Syria](#)

<sup>7</sup> Department of Defense Press Release, December 6, 2017: "[Pentagon Announces Troop Levels in Iraq, Syria](#)"





Bernard Sanders  
United States Senator



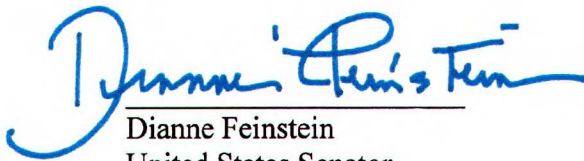
Richard Blumenthal  
United States Senator



Richard J. Durbin  
United States Senator



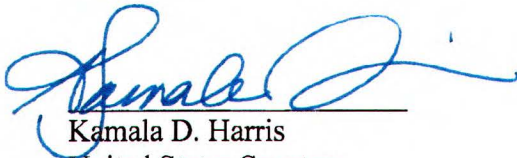
Kirsten Gillibrand  
United States Senator



Dianne Feinstein  
United States Senator



Tammy Duckworth  
United States Senator



Kamala D. Harris  
United States Senator



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

February 22, 2018

The Honorable Tim Kaine  
United States Senate  
Washington, DC 20510

Dear Senator Kaine:

Thank you for your January 29, 2018 letter to the Department of Homeland Security (DHS). Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designation for Syria. The Secretary of Homeland Security's authority to designate or redesignate 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 are no longer met with respect to a country, the Secretary is required to terminate the designation. *See* INA § 244(b)(1),(3).

After carefully considering relevant conditions in Syria and the statutory TPS requirements, Secretary Nielsen decided to extend the TPS designation for Syria for 18 months, through September 30, 2019. Prior to the conclusion of this 18-month extension, the Secretary will review conditions in Syria and, after consultation with other appropriate federal agencies, determine whether another extension, a redesignation, or a termination is warranted, in full compliance with the INA. Additional information on the extension of TPS for Syria can be found in Secretary Nielsen's January 31, 2018 announcement of the decision posted on the DHS website, on the USCIS website, and in a notice that will be published in the *Federal Register*.

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 Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in black ink, appearing to read "LFC", written over a horizontal line.

L. Francis Cissna  
Director