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By ESEC at 9:05 am, Apr 21, 2023

April 20, 2023

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

Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
301 7th Street, SW
Washington, DC 20528

Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear President Biden, Secretary Mayorkas, and Secretary Blinken:

African Communities Together (ACT), Communities United for Status and Protection (CUSP), and National Network for Arab American Communities (NNAAC) write today in light of the rapid escalation of armed conflict in Sudan since April 15, 2023. Escalating violence, indiscriminate bombing, and heavy weapon attacks have been reported in Khartoum and other cities as a result of conflict between General Abdel-Fattah Burhan of the Sudanese Army, and General Mohammed Hamdan Dagalo of the Rapid Support Forces (RSF) paramilitary group. Attacks against civilians intensified for the sixth day, and casualties have risen to over 330 deaths and over 3,200 civilians wounded.¹ Sudan's military called for RSF's surrender, threatening the attempts to ceasefire.² Following the violence, Secretary Blinken highlighted that the dangerous fighting "threatens the security and safety of Sudanese civilians and undermines efforts to restore Sudan's democratic transition," and called for an immediate end to hostilities.³ Today, U.S. officials announced that additional troops would be positioned in Djibouti to evacuate U.S. embassy personnel.⁴

We are writing to request an **18-month extension and redesignation of Temporary Protected Status for Sudan** as the country conditions continue to persist and deteriorate, warranting an extension and redesignation of TPS. On April 19, 2022, the Department of Homeland Security (DHS) announced the designation of Sudan for Temporary Protected Status (TPS) for 18 months effective until October 19, 2023. The designation allows eligible Sudanese nationals who have continuously resided in the United States since March 1, 2022, and who have been continuously physically present in the United States since April 19, 2022, to apply for TPS. With the expiry fast approaching, and the conflict and extraordinary and temporary conditions exacerbated by the ongoing developments, the Biden administration must provide continued protection to the Sudanese nationals present in the United States. We urge Secretary Mayorkas to provide a redesignation and a generous cut-off date to expand eligibility for

¹ [Aljazeera. Sudan live news: UN chief appeals for 3-day Eid ceasefire](#)

² [Sudan army demands rivals' surrender as cease-fire runs out](#)

³ [Update on the Situation in Sudan - United States Department of State](#)

⁴ [U.S. preparing to position troops in case of Sudan embassy evacuation - POLITICO](#)

Sudanese nationals who arrived in the United States after March 1, 2022, in light of the renewed country conditions.

An extension and redesignation of TPS for Sudan is in the foreign policy interest of the United States. Secretary Blinken and other foreign counterparts have held high-level discussions sharing “deep concern about the fighting, the violence that’s going on in Sudan; the threat that that poses to civilians, that it poses to the Sudanese nation, and **potentially even to the region.**”⁵ The State Department has established a Sudan Military Conflict Task Force to develop a response to the escalating violence.⁶ On April 19, the State Department updated its travel advisory to “Level 4: Do Not Travel,” citing “violent, volatile, and extremely unpredictable” ongoing armed conflict.⁷ Congresswoman Sara Jacobs, who is the Ranking Member of the Subcommittee on Africa, House Foreign Affairs Committee, expressed alarm “about the deteriorating situation in Sudan and the violence against civilians who are caught in the crossfire.”⁸ The U.S. Government acknowledges that the emergent conditions are a threat to the national security and foreign policy of the United States. A designation 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 regional security and safety. **An extension and redesignation of TPS is necessary to safeguard vulnerable Sudanese in the United States and reaffirm U.S. commitment to establishing a policy to support the people of Sudan during this crisis.** The developments in the past week have threatened the safe return of Sudanese nationals. This is also a moment for the U.S. government to take action and provide permanent protection for Sudanese nationals in accordance with its commitments to the country.

Sincerely,

African Communities Together (ACT)

Communities United for Status and Protection (CUSP)

National Network for Arab American Communities (NNAAC)

⁵ [Secretary Antony J. Blinken And U.K. Foreign Secretary James Cleverly On the Situation in Sudan - United States Department of State](#)

⁶ [US State Departments Sets Up Special Task Force for Crisis in Sudan](#)

⁷ [Sudan Travel Advisory](#)

⁸ [Congresswoman Sara Jacobs Statement on Sudan Violence](#)



June 7, 2023

Amaha Kassa
Founder and Executive Director
African Communities Together (ACT)
127 W 127th St., Suite 221
New York, NY 10027

Dear Mr. Kassa:

Thank you for your April 20, 2023 letter to the Department of Homeland Security (DHS) requesting an extension and redesignation of Temporary Protected Status (TPS) for Sudan. I am responding on behalf of the Department, as U.S. Citizenship and Immigration Services (USCIS) advises the Secretary on TPS issues and implements the programs.

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.¹

At least 60 days before the expiration of a TPS designation or extension, the Secretary must review the country conditions to determine whether they continue to meet the conditions for the TPS designation.² If the Secretary determines that conditions for TPS designation continue to exist, the designation will be extended for an additional period of 6 months or, in the Secretary's discretion, 12 or 18 months.³ DHS makes decisions to designate a country for TPS after consultation with interagency partners and careful consideration of the individual country's circumstances.

¹ See Immigration and Nationality Act § 244(b)(1), 8 U.S.C. § 1254a(b)(1).

² See INA § 244(b)(3)(A), 8 U.S.C. 1254a(b)(3)(A).

³ See INA § 244(b)(3)(A), (C), 8 U.S.C. 1254a(b)(3)(A), (C).

Sudan was initially designated for TPS on November 4, 1997, due to (1) an ongoing armed conflict and (2) extraordinary and temporary conditions within Sudan preventing nationals from returning to Sudan in safety.⁴ Subsequently, in October 2017, the Acting Secretary of Homeland Security at the time announced the termination of Sudan's TPS designation effective November 2, 2018.⁵ The termination of Sudan's TPS designation is being challenged in a lawsuit, and court injunctions require DHS to temporarily continue TPS for Sudan pending further court order.⁶ Most recently, Secretary Mayorkas newly designated Sudan on the basis of extraordinary and temporary conditions effective April 19, 2022, through October 19, 2023.⁷

DHS also offers support that may be available upon request to assist eligible individuals affected by special situations, including Sudanese nationals and others who last habitually resided in Sudan. This support may include:

- Change or extension of nonimmigrant status for noncitizens 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 is available at <https://www.uscis.gov/humanitarian/special-situations>.

I appreciate the concerns you have outlined regarding the situation in Sudan and the information you have provided; please be assured that DHS continues to monitor in-country conditions.

⁴ See Designation of Sudan Under Temporary Protected Status, 62 FR 59737 (Nov. 4, 1997).

⁵ For general history of TPS designations, redesignations and extensions for Sudan, see 81 FR 4045 (Jan. 25, 2016). See also Termination of the Designation of Sudan for Temporary Protected Status, 82 FR 47228 (Oct. 11, 2017).

⁶ See *Ramos v. Nielsen*, 336 F. Supp. 3d 1075 (N.D. Cal. 2018), vacated, 975 F.3d 872 (9th Cir. 2020), *pet. for reh'g en banc granted*, 59 F.4th 1010 (9th Cir. 2023).

⁷ See Designation of Sudan for Temporary Protected Status, 87 FR 23202 (Apr. 19, 2022).

Thank you again for your letter and interest in this important issue. Please share this response with the other organizations that cosigned your letter. Should you require any additional assistance, please do not hesitate to contact me.

Respectfully,

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