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2019 APR -4 PM 5:57

March 12, 2019

Honorable Kirstjen Nielsen  
Secretary of Homeland Security  
USDHS  
3801 Nebraska Ave. NW  
Washington, D.C., 20016

Honorable Michael Pompeo  
Secretary of State  
USDOS  
2201 C St., NW  
Washington, D.C., 20520

**The Immigrant  
Legal Center  
of Boulder County**

Re: Temporary Protected Status Requested for Venezuela

**A Non-Profit and  
OLAP-recognized\*  
organization**

Dear Secretaries Nielsen and Pompeo:

**Laurel Herndon**  
Attorney

**Belen Pargas Solis**  
Paralegal and OLAP ptl.  
Accredited Representative

The Immigrant Legal Center of Boulder County is a 501(c)(3) non-profit legal services organization reconized by the U.S. Department of Justice Office of Legal Access Programs. Over the past fourteen years the Legal Center has served more than 4,800 distinct immigrant clients from eighty-nine different countries. Those countries include El Salvador, Haiti, Honduras, Nicaragua, Sudan and South Sudan, countries that have at different times been designated for Temporary Protected Status (TPS).

We have heard the stories of clients who currently hold TPS, and have also heard the stories of clients from Venezuela. The similarities are striking, and our hearts go out to Venezuelan citizens who are in the United States watching events unfold in their homeland. Regardless of the source of the danger, there is real danger in returning to Venezuela at this time. There is also an urgent need for Venezuelan citizens to be able to work in the U.S. and send remittances to their families back home.

In the interest of our clients, and others similarly situated, we ask that you find recent events as qualifying Venezuela for a TPS designation. Venezuelans currently in the United States are indeed at risk, and should not be required to return to the middle of a poorly-understood conflict. Granting these individuals permission to temporarily remain in, and engage in lawful employment in the United States is in the best interest of all.

Thank you for your consideration.

Sincerely,

Laurel Herndon, for the Immigrant Legal Center staff

\*OLAP is the Office of  
Legal Access Programs of  
the U.S. Department of  
Justice

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U.S. Citizenship  
and Immigration  
Services

May 2, 2019

Ms. Laurel Herndon  
Attorney  
The Immigrant Legal Center  
948 North Street, Suite 8  
Boulder, Colorado 80304

Dear Ms. Herndon:

Thank you for your March 12, 2019 letter to the Department of Homeland Security.

I appreciate your concern for the situation in Venezuela and your interest in its designation for Temporary Protected Status (TPS). The Secretary's authority to designate a country for TPS and to extend or terminate a country's existing TPS 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.

After consultation with appropriate agencies of the Government, the Secretary may designate any foreign state (or any part of such foreign state) for TPS only if: (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. *See* Immigration and Nationality Act § 244(b)(1).

For your awareness, USCIS also has humanitarian programs and relief measures that may be available to eligible Venezuelans outside of any consideration of the country for designation of TPS. Other immigration relief measures that may be of assistance to Venezuelan nationals affected by the current conditions in Venezuela may be found at: [www.uscis.gov/humanitarian/special-situations](http://www.uscis.gov/humanitarian/special-situations).

Ms. Laurel Herndon  
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Thank you again for your letter and interest in this important issue. Should you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

A handwritten signature in blue ink, appearing to read "LFC", with a long horizontal flourish extending to the right.

L. Francis Cissna  
Director