July 3, 2018

The Honorable Michael Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C. 20520  

Honorable Kirstjen Nielsen  
Secretary of Homeland Security  
U.S. Department of Homeland Security  
Nebraska Avenue Complex  
3801 Nebraska Avenue, N.W.  
Washington, D.C. 20530

Dear Secretary Pompeo and Secretary Nielsen:

We write to urge you to extend and re-designate Yemen for Temporary Protected Status (TPS) before the deadline on July 5th. We believe the deteriorating country conditions in Yemen continue to meet the standards for an extension of TPS to protect the nearly 1,200 Yemeni beneficiaries from being returned to a country where their lives would be in danger.

Yemen received its TPS designation in 2015 due to the ongoing armed conflict, which posed a serious threat to returnees’ safety. In January 2017, then-Secretary of Homeland Security Jeh Johnson extended Yemen’s TPS designation because of the deteriorating conditions for civilians in the country, the persistence of the armed conflict, and the effects of natural disasters on the country’s infrastructure.

Both the State Department and independent organizations agree that country conditions have not improved since that last extension. According to the State Department’s January 10th, 2018 travel advisory, “no part of Yemen is safe from violence.” A January 2018 Human Rights Watch report found that parties in the civil war have used cluster munitions and disproportionate airstrikes, indiscriminately shelled Yemeni cities, homes, markets, hospitals, schools and mosques, and deployed antipersonnel landmines. The high levels of violence and disregard for the laws of war have contributed to the deaths of thousands of civilians. This situation has only been compounded by the recent Saudi-led coalition assault to recapture the port of Hudaydah, which serves as a critical lifeline for the Yemeni people, including as the principal access point for all humanitarian assistance into the country.

The war’s widespread destruction has caused the world’s worst humanitarian crisis. More than 22 million Yemenis—roughly three-quarters of the population—rely on humanitarian assistance. At least 8.4 million are severely food insecure, and nearly every governorate in the country is at crisis levels for impending famine. The civil war has caused nearly 3 million Yemenis to be internally displaced, the majority of which have now been displaced for over one year, and thousands more have left for refuge across the world. Preventable diseases are rampant, with the international
community recording over 1 million cases of cholera and the spread of diphtheria and measles across the country.

Congress created the TPS designation in 1990 to provide temporary lawful status to foreign nationals in the United States from countries experiencing armed conflict, natural disaster, or other extraordinary circumstances. The designation protects these nationals from having to return to their home countries where their lives would be in danger. TPS also supports recovery and stabilization efforts by letting designated countries focus on rebuilding, rather than reintegrating large numbers of returning nationals.

We believe the conditions in Yemen easily meet the standards for a TPS designation laid out in statute. Given the ongoing armed conflict, the extreme levels of violence, and the extent of the humanitarian crisis, returning Yemeni TPS holders is akin to a death sentence. TPS must be extended to protect this vulnerable population.

Sincerely,

Tim Kaine
United States Senator

Richard J. Durbin
United States Senator

Tina Smith
United States Senator

Christopher Murphy
United States Senator

Christopher A. Coons
United States Senator

Edward J. Markey
United States Senator

Cory A. Booker
United States Senator

Kamala D. Harris
United States Senator