

# United States Senate

WASHINGTON, DC 20510

December 19, 2019

The Honorable Chad Wolf  
Acting Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20016

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

Dear Acting Secretary Wolf and Secretary Pompeo:

We write to urge you to extend and re-designate Somalia for Temporary Protected Status (TPS) before the deadline on January 17, 2020. Conditions in the country continue to meet the statutory standards for TPS designation, and extending this protection would prevent Somali TPS holders from returning to uncertain and unsafe conditions and allow them to remain in the United States until circumstances in their home country are further improved.

Somalia was first designated for TPS in September 1991 due to extraordinary and temporary conditions in the country. Somalia was re-designated in 2001 and 2012. Most recently, TPS designation for Somalia was extended through March 17, 2020 because conditions in the country, including “ongoing armed conflict,” “extrajudicial killings,” and “the need for the rehabilitation of crucial infrastructure” prevent approximately 500 Somali nationals from returning safely.<sup>1</sup> According to the Department of Homeland Security (DHS)’s extension announcement in 2018, “the conditions supporting Somalia’s designation for TPS continue to be met.”<sup>2</sup>

These conditions continue to persist, therefore extension and re-designation of Somalia for TPS is necessary and justified. The Human Rights Watch Country Summary for Somalia released in January, 2019, confirms that the government “has made no tangible progress reining in abusive security forces,” and the judicial proceedings needed to reign in these offenses “[fall] far short of international fair trial standards.”<sup>3</sup> The State Department’s Country Report on Human Rights Practices released in April, 2018 states, “Clan militias and al-Shabaab continued to commit grave abuses throughout the country, including extrajudicial and politically motivated killings; disappearances; cruel and unusual punishment; rape; and attacks on employees of nongovernmental organizations (NGOs), and the United Nations. They also blocked humanitarian assistance, conscripted child soldiers, and restricted freedoms of speech, press, assembly, and movement.”<sup>4</sup> The report notes that there has been a rise in al-Shabaab recruitment of children, killings by clan militias, violence directed at humanitarian organizations, and internal displacement.

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<sup>1</sup> U.S. Citizenship and Immigration Services, Department of Homeland Security, “Extension of the Designation of Somalia for Temporary Protected Status,” *The Federal Register*, August 27, 2018, <https://www.federalregister.gov/documents/2018/08/27/2018-18444/extension-of-the-designation-of-somalia-for-temporary-protected-status>.

<sup>2</sup> *Ibid.*

<sup>3</sup> “Somalia Country Summary,” Human Rights Watch, last modified January 2019, [https://www.hrw.org/sites/default/files/somalia\\_.pdf](https://www.hrw.org/sites/default/files/somalia_.pdf).

<sup>4</sup> “World Report 2018, Somalia Country Chapter.” U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, last modified April 20, 2018, <https://www.state.gov/wp-content/uploads/2019/01/Somalia.pdf>.

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In a statement from United Nations (UN) Envoy James Swan to the Security Council in November 2019, Swan reported that “insecurity remains a major challenge,” and “Al Shabaab continues to execute deadly terrorist attacks against civilians as well as military targets.”<sup>5</sup> The UN Assistance Mission in Somalia recounted the increase in violence during Ramadan, in the summer of 2019, when there were “several high-profile terrorist attacks.”<sup>6</sup> There were more violent incidents during this period than in 2017 and 2018.<sup>7</sup> The UN Mission also reported that Somalia is still facing challenges due to the severe and prolonged drought of 2016-2017, an estimated 2.2 million people are facing acute food insecurity as a result.<sup>8</sup>

On October 28, 2019, the State Department issued a travel advisory that warns U.S. citizens not to travel to the country due to “crime, terrorism, civil unrest, health issues, kidnapping, and piracy.”<sup>9</sup> Clearly, there is considerable risk that Somali nationals forced to return to their home country would face significant danger and unsafe conditions.

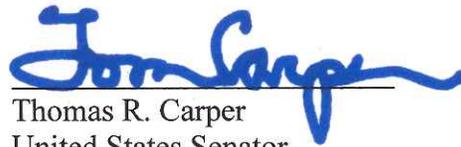
In 1990, Congress established TPS as a form of humanitarian relief for foreign nationals in the United States who would not be able to safely return to their home countries or for countries that would not be able to handle the return of nationals due to extraordinary conditions.<sup>10</sup> Since then, this protection has helped protect immigrants from returning to dangerous conditions and helped designated countries better focus their efforts to allow for a safe reintegration in the future. Forcing Somali TPS holders to return now would not only place these individuals in jeopardy, but would also uproot their families and children, many of whom are U.S. citizens. Somali TPS holders have been an important part of countless communities, where they contribute to business growth and are vital participants in the workforce.

It is clear that the conditions in Somalia meet the statutory standards for TPS designation, and that returning Somali TPS holders would face an extreme risk of violence and human rights abuses. Given the armed conflict and ongoing humanitarian crisis in Somalia, the re-designation and extension of TPS for Somalia is necessary to protect this population.

Sincerely,



Tina Smith  
United States Senator



Thomas R. Carper  
United States Senator

<sup>5</sup> United Nations Special Representative of the Secretary-General for Somalia and Head of the United Nations Assistance Mission in Somalia, Remarks to the Security Council on the Situation in Somalia, November 21, 2019, [https://unsom.unmissions.org/sites/default/files/191121\\_srs\\_g\\_security\\_council\\_statement\\_as\\_delivered.pdf](https://unsom.unmissions.org/sites/default/files/191121_srs_g_security_council_statement_as_delivered.pdf).

<sup>6</sup> “Report of the Secretary-General on Somalia,” United Nations Security Council, August 15, 2019, <https://undocs.org/S/2019/661>.

<sup>7</sup> *Ibid.*, 3.

<sup>8</sup> *Ibid.*, 8.

<sup>9</sup> “Somalia Travel Advisory,” U.S. Department of State – Bureau of Consular Affairs, October 28, 2019, <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/somalia-travel-advisory.html>.

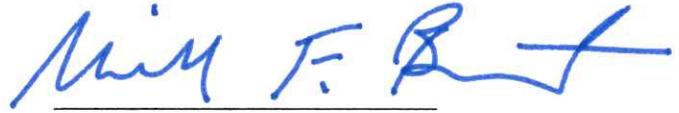
<sup>10</sup> 8 U.S.C. §1254a.

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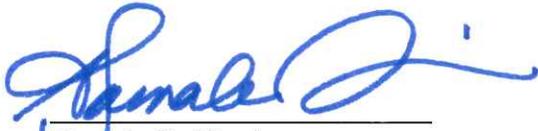
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Edward J. Markey  
United States Senator



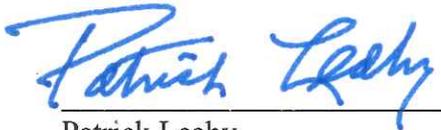
Michael F. Bennet  
United States Senator



Kamala D. Harris  
United States Senator



Ron Wyden  
United States Senator



Patrick Leahy  
United States Senator



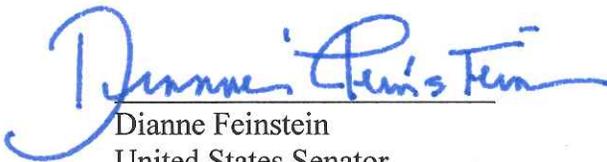
Bernard Sanders  
United States Senator



Amy Klobuchar  
United States Senator



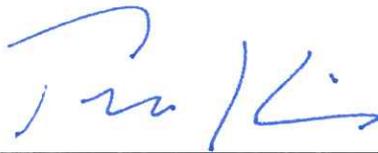
Benjamin L. Cardin  
United States Senator



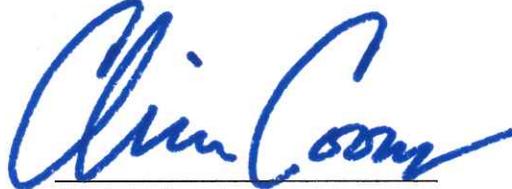
Dianne Feinstein  
United States Senator



Kirsten Gillibrand  
United States Senator



Tim Kaine  
United States Senator



Christopher A. Coons  
United States Senator

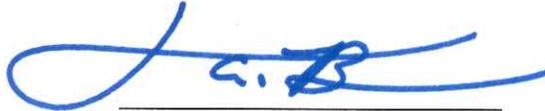
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Elizabeth Warren  
United States Senator



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Cory A. Booker  
United States Senator



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Mazie K. Hirono  
United States Senator



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Sherrod Brown  
United States Senator