

# United States Senate

WASHINGTON, DC 20510

April 4, 2025

The Honorable Marco Rubio  
Secretary of State  
U.S. Department of State 2201 C Street NW  
Washington, D.C. 20520

The Honorable Kristi Noem  
Secretary of Homeland Security  
Washington, DC 20528

Dear Secretary Rubio and Secretary Noem:

We ask that you reconsider your February 1, 2025 decision to terminate Temporary Protected Status (TPS) for Venezuelans who applied for TPS under the 2023 designation<sup>1</sup>. While a court order has temporarily postponed the harms that will be caused by this decision, approximately 350,000 people remain at risk of losing TPS.

Contrary to your assertion that “there are notable improvements in several areas, such as the economy, public health, and crime that allow for these nationals to be safely returned,”<sup>2</sup> the country conditions in Venezuela have deteriorated significantly since 2023, as discussed in detail below.

There is no credible evidence demonstrating substantive improvements in the human rights or security situation at this time. Nicolas Maduro’s third term began in January 2025 and has thus far been characterized by political violence, violent crime, and corruption. Indeed, he remained in power through violent repression surrounding his July 2024 election, which the United States and international observers deemed fraudulent. Numerous credible sources have documented how the regime uses waves of repression, including politically motivated arrests and forcible disappearances, to maintain power. According to the Congressional Research Service (CRS), the Maduro regime was holding over 1,000 political prisoners as of March 10, 2025<sup>3</sup>.

Through draconian legal measures and organized violence, the Maduro regime is engaging in an

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<sup>1</sup> “Temporary Protected Status Designated Country: Venezuela | USCIS,” March 19, 2025.

<https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-venezuela>.

<sup>2</sup> Federal Register. “Termination of the October 3, 2023 Designation of Venezuela for Temporary Protected Status,” February 5, 2025. <https://www.federalregister.gov/documents/2025/02/05/2025-02294/termination-of-the-october-3-2023-designation-of-venezuela-for-temporary-protected-status>.

<sup>3</sup> Ribando Seelke, Clare. “Venezuela: Political Crisis and U.S. Policy.” Report to Congress. Congressional Research Service, March 24, 2025. <https://www.congress.gov/crs-product/IF10230>.

active campaign to violate human rights and repress civil society. For example, the National Assembly passed an “anti-NGO law” that provides legal pretext for targeting human rights defenders, political opposition, and journalists. In this environment, organized crime and humanitarian crisis have grown.

Governance in Venezuela has broken down, leaving the basic needs of its citizens unmet – sufficient food, clean water, and medicines are inaccessible for most. The United Nations World Food Program estimates that approximately 40 percent of the population is experiencing moderate to severe food insecurity, and that four million people require urgent food assistance<sup>4</sup>. The Venezuelan government is unable or unwilling to provide justice or protection for its citizens. In fact, the government of Venezuela is frequently itself a perpetrator or beneficiary of human rights abuses.

The current conditions in Venezuela described above clearly continue to meet the requirement of INA §244(b)(1)(C) that “there exist extraordinary and temporary conditions in the foreign state that prevent aliens who are nationals of the state from returning to the state in safety.” Insofar as you have found that “even assuming the relevant conditions in Venezuela remain both ‘extraordinary’ and ‘temporary,’ termination of the 2023 Venezuela TPS designation is required because it is contrary to the national interest,” the lack of notice and opportunity for stakeholders and the public to comment on the termination and the national interest before it went into effect makes your decision legally infirm and deeply flawed policy-wise.

On March 31, 2025, the U.S. District Court for the Northern District of California ordered that the decision to vacate the extension of the 2023 designation and to terminate that designation be postponed pending further litigation. In a seventy-eight-page decision, the court relied on “[t]he lack of support for the vacatur – both legal and evidentiary” in postponing your decision<sup>5</sup>.

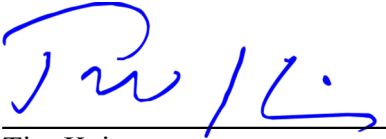
For the reasons discussed above, we ask that you reconsider your February 1, 2025 decision and instead extend TPS for Venezuelans in the United States for the maximum statutory period of 18 months. Congress intended TPS to be both a humanitarian tool and a pragmatic response to unstable conditions abroad. While DHS has the authority to terminate TPS, that authority must be exercised with diligence, transparency, and fidelity to the law.

Sincerely,

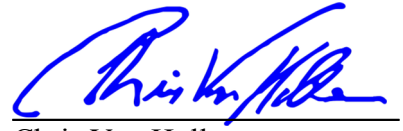
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<sup>4</sup> “Venezuela | World Food Programme,” March 29, 2024. <https://www.wfp.org/countries/venezuela-bolivarian-republic>.

<sup>5</sup> Chen, Judge Edward M. National TPS Alliance et al v. Noem et al, No. 16 (United States District Court for the Northern District of California March 31, 2025).



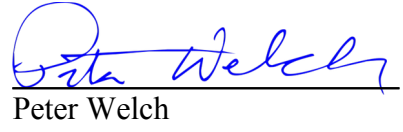
Tim Kaine  
United States Senator



Chris Van Hollen  
United States Senator



Jack Reed  
United States Senator



Peter Welch  
United States Senator



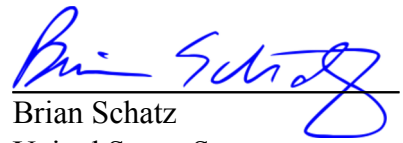
Bernard Sanders  
United States Senator



Jeanne Shaheen  
United States Senator  
Ranking Member, Senate  
Foreign Relations Committee



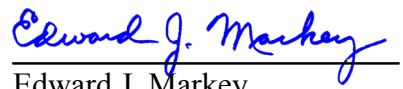
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United States Senator



Edward J. Markey  
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Catherine Cortez Masto  
United States Senator



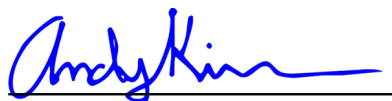
Michael F. Bennet  
United States Senator



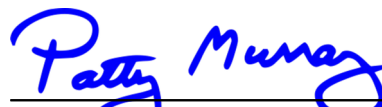
Christopher A. Coons  
United States Senator



Elizabeth Warren  
United States Senator



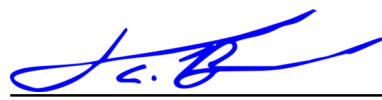
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Patty Murray  
United States Senator



Tammy Duckworth  
United States Senator



Cory A. Booker  
United States Senator



Alex Padilla  
United States Senator