

United States Senate

WASHINGTON, DC 20510

January 10, 2025

The Honorable Alejandro Mayorkas
Secretary
United States Department of Homeland Security
2707 Martin Luther King Jr. Avenue SE
Washington, D.C. 20528

The Honorable Ur M. Jaddou
Director
U.S. Citizenship and Immigration Services
5900 Capital Gateway Drive
Camp Springs, MD 20588

Dear Secretary Mayorkas and Director Jaddou:

I write to express my sincere concerns regarding the extensions of the designations of El Salvador, Venezuela, Ukraine, and Sudan for Temporary Protected Status (“TPS”). These 18-month extensions allow these noncitizens to remain in the United States through the Fall of 2026, when the designations were set to expire. These decisions were shamefully made by an outgoing administration ten days before President Donald J. Trump takes the oath of office. One would think that after handedly losing the 2024 Presidential Election when voters overwhelmingly rejected the Biden-Harris Administration’s open-border policy, that you would finally understand American citizens’ mandate. And yet, you continue to completely disregard the will of the majority of voters, by unilaterally deciding to allow nearly 1 million noncitizens who entered our country without original authorization to remain in the United States.

As of 2023, according to the Department of Justice, El Salvador-based MS-13, one of the most violent criminal gangs in the world, has roughly 10,000 members in the United States.¹ Even worse, Tren de Aragua (“TdA”), the transnational criminal organization, largely based in Venezuela, known for its heinous crimes and brutality, has only increased its presence and activity in the United States. Yet again, the Biden-Harris Administration continues to jeopardize the safety of American citizens to benefit noncitizens.

I am also deeply disgusted by your attempts to justify these decisions. For example, according to your Department, the extension of the TPS status of 234,000 noncitizens is due to “geological and weather events”² in El Salvador. However, a quick review of the current weather in San Salvador, El Salvador currently shows that it is “mostly sunny” and 81 degrees Fahrenheit.

¹ <https://www.cbsnews.com/news/ms-13-gang-us-reward-leader-yulan-adonay-archaga-carias/>

² <https://www.dhs.gov/news/2025/01/10/dhs-publishes-federal-register-notice-extending-temporary-protected-status-el>

I therefore seek your timely response to the below questions within ten days of receipt of this letter and request that you immediately reconsider and rescind the TPS extension of the designation of El Salvador, Venezuela, Ukraine, and Sudan.

1. What is the current number of MS-13 members known to be in the United States?
2. What is the current number of TdA members known to be in the United States?
3. How many of the noncitizens suspected of being associated with MS-13 and/or TdA have remained in this country through a TPS designation?
4. What were the “geological and weather events” and associated sources and data that you used to justify your extension of TPS status for El Salvador?
5. What was the vetting process for these individuals?
6. Do you have a way to ensure that these noncitizens will not commit crimes in the United States following redesignation?
7. Will these noncitizens be subject to deportation if they commit a crime in the United States?

Sincerely,

A handwritten signature in blue ink that reads "Bernie Moreno". The signature is stylized with a large, looping "B" and a long horizontal stroke at the end.

BERNIE MORENO
United States Senator