

October 16, 2024

Temporary Protected Status and Special Envoy for Belarus

Dear Members of Congress,

The Belarusian-American community writes first to thank you for your unwavering support for democracy in Belarus and for your support of Ukraine as it fights to eject revanchist Russia from Ukraine's internationally recognized borders. We recognize that victory by Ukraine is essential to weaken Russia's ability to threaten regional security, including through Russia's influence over Belarus. Conversely, support for an independent, democratic Belarus supports Ukraine in its fight by causing the Lukashenka dictatorship to fear for its stability and question its support for Russian aggression and domination.

While the focus is rightly on supporting Ukraine, we have two requests for Belarus. First, we ask you to encourage the State Department to support the designation of Temporary Protected Status (TPS) for Belarus by Department of Homeland Security Secretary Alejandro Mayorkas and to pressure Secretary Mayorkas to grant this designation before the end of President Biden's term in office. Second, we ask you to advise the State Department to comply with the 2024 NDAA and designate a Special Envoy for Belarus who is exclusively in this role, rather than performing this duty on top of other duties. We have provided detailed information below in support of both requests.

Temporary Protected Status

While political repression in Belarus has existed in Belarus throughout the Lukashenka regime's reign and became acute in response to the 2020 Presidential election, on September 4, 2023, Aliaksandr Lukashenka issued Decree 278 which terminated consular services for all Belarusians. This action prevented Belarusians abroad from renewing passports, gaining proof of citizenship for children born abroad, and many other necessary services that allow citizens to live freely outside of Belarus. The effect of this decree is to force Belarusians to return to Belarus where they may face persecution or to remain outside of Belarus in an ambiguous status that could cost them access to education, healthcare, financial services, etc.

On November 8, 2023, three leading organizations of the Belarusian diaspora in the United States wrote a [letter to Secretary of Homeland Security Alejandro Mayorkas](#) requesting that he grant Temporary Protected Status (TPS) for Belarus and Special Student Relief for Belarusians studying in the US. The Immigration and Nationality Act §244(b)(1) permits the Secretary to grant TPS if conditions in a country meet one of three qualifications and granting TPS would be in the US national interest. The political repression of the Lukashenka regime caused Belarus to meet condition #3 which is the *extraordinary and temporary condition* of both a political or humanitarian crisis that prevents Belarusians from safely returning to Belarus.

On December 15, 2023, members of both houses of Congress issued a [bi-cameral letter to Secretary Mayorkas and Secretary of State Antony Blinken](#) requesting the TPS designation for Belarus. (On December 14, 2021, Representatives Chris Smith, James McGovern, William Keating, Joe Wilson, and Marcy Kaptur issued a [bipartisan letter supporting TPS for Belarus](#)) On December 21, 2023, the Belarus Freedom Forum received a [letter from USCIS Director Ur M. Jaddou acknowledging our TPS request](#) and saying in part:

“I appreciate the concerns you have outlined regarding the situation in Belarus and your interest in its designation for TPS. Please be assured that DHS is monitoring conditions in Belarus. DHS is committed to administering its programs, including TPS, in an equitable manner and makes decisions to designate TPS after consultation with interagency partners and careful consideration of the circumstances of the country.”

On January 10, 2024, members of the Belarusian diaspora, Belarusians affected by Decree 278 participated in a Listening Session to present our TPS request with staff from the Department of Homeland Security, US State Department and the White House. During the Listening Session we presented the testimonies of Belarusians in the US affected by Lukashenka Decree 278 and communicated that **the TPS Burden is not too great - we estimate ~4,500 potential beneficiaries based on the [DHS Yearbook of Immigration Statistics FY2018-FY2022](#)** (see [memo w/data](#) and the [US Immigration Statistics: Belarus](#) spreadsheet)

No action by Secretary Mayorkas on our TPS request has occurred since the Listening Session. This Spring, the State Department asked us to provide additional evidence of cases of Belarusians who are threatened with return to Belarus. In response, we provided narratives from three students who either felt compelled to return to Belarus to renew their passports or were at risk of losing their immigration status in the United States as a result of the Lukashenka regime’s September 4, 2023 decree. Pressure from Congress, including direct communication from Senator Shaheen’s office has not been able to move this issue.

These cases represent the tip of the iceberg. The number of potential cases exceeds what can reasonably be handled on a case by case basis. At ~4500 potential beneficiaries, the burden on the US government is not great. Those temporarily in the US under the protection of its laws will

be immersed in the benefits of democracy which they will carry back to Belarus. Granting TPS will send a message to the Lukashenka regime that we support those who risk their well-being for democracy. We also communicate to our allies and partners like Poland, Lithuania, Germany, Czechia, Armenia, and Georgia that we stand shoulder-to-shoulder sharing the burden with them of helping Belarusians temporarily in exile as a result of Lukashenka's repression.

Special Envoy for Belarus

Since Julie Fisher was transferred from her post as US Ambassador to Belarus, the United States had lacked an individual with exclusive responsibility for advancing America's interests regarding Belarus. In the [2024 National Defense Authorization Act \(NDAA\)](#) (signed into law on December 22, 2023), Senator Jeanne Shaheen had inserted a provision requiring the appointment of a Special Envoy for Belarus whose sole responsibility will be to represent US interests regarding Belarus full time from "a duty station that is co-located with the Belarus Affairs Unit." We have copied relevant language from the NDAA below.

SEC. 6406. <<NOTE: 22 USC 5811 note.>> SPECIAL ENVOY FOR BELARUS.

(a) <<NOTE: President. Appointment.>> Special Envoy.--The President shall appoint a Special Envoy for Belarus within the Department (referred to in this section as the ``Special Envoy''). The Special Envoy should be a person of recognized distinction in the field of European security, geopolitics, democracy and human rights, and may be a career Foreign Service Officer.

(d) Role.--The position of Special Envoy--
(1) shall be a full-time position;
(2) may not be combined with any other position within the Department;
(3) shall only exist as long as United States diplomatic operations in Belarus at the United States Embassy in Minsk, Belarus have been suspended;

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(4) shall oversee the operations and personnel of the Belarus Affairs Unit; and
(5) shall have a duty station that is co-located with the Belarus Affairs Unit.

We understand that the State Department has not filled this position in the way specified by the law. Instead, the functions are currently performed in conjunction with other responsibilities from the office of the Deputy Assistant Secretary of State for Eastern Europe within the Bureau of European and Eurasian Affairs.

We believe a dedicated Special Envoy with exclusive, full time responsibility is necessary to give voice to the strategic importance of an independent, democratic Belarus, especially in the face of a revanchist Russia.

We, Belarusian-Americans, thank you for your tireless effort to ensure that the values of democracy, liberty, human rights and self-determination - values that America introduced to the

modern world in 1776 and for which it has modeled their development and expansion ever since
- are shared broadly, offering light in places darkened by tyranny like Belarus.

Thank you for your help gaining TPS to provide temporary shelter to Belarusians in the US and
securing a Special Envoy to be a voice for an independent, democratic Belarus.

Yours truly,

Belarus Freedom Forum
American Georgians for Progress
Association of Belarusians in America
Belarusian American Association (BAZA)
Belarusian Association of Educators and Researchers Abroad (BAREA)
Belarusians of Boston and New England
Belarusians in Chicago
Belarus FREEDOM - Philadelphia
Belarusians of New Jersey
Belarusians of San-Diego
Belarusians of San Francisco, Bay Area & Sacramento
Belarusians of Washington, DC
Joint Baltic American National Committee (JBANC)
Kyiv-Mohyla Foundation of America
RADR San Diego
Seattle Belarus
Southern California Belarusian American Association (SouthCal BAZA)
US Ukrainian Activists

Supporting Documents:

- [2021 Bi-partisan TPS letter to Secretary Mayorkas](#)
- [Belarusian diaspora TPS letter to Secretary of Homeland Security Alejandro Mayorkas \(November 8, 2023\)](#)
- [Bi-cameral TPS letter to Secretary Mayorkas and Secretary of State Antony Blinken \(December 15, 2023\)](#)
- [Letter from USCIS Director Ur M. Jaddou acknowledging Belarusian diaspora TPS request \(December 21, 2023\)](#)
- [Belarusian diaspora research memo w/immigration data from The DHS Yearbook of Immigration Statistics](#)
- Link to the [2024 National Defense Authorization Act \(NDAA\)](#)