

United States Senate

WASHINGTON, DC 20510

December 18, 2025

Kristi Noem
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Avenue SE
Washington, DC 20528

Marco Rubio
Secretary
U.S. Department of State
2201 C Street N.W.
Washington, D.C. 20451

Dear Secretary Noem and Secretary Rubio:

We write to express deep concern about the U.S. Department of Homeland Security's (DHS) termination of Temporary Protected Status (TPS) for Burma. Your termination notice ignores the Burmese military's brutality, often targeted at returnees, and heartlessly requires TPS holders to return to an active war zone. We ask that you stop relying on the claims of authoritarian leaders to justify politically expedient TPS terminations and immediately reverse this decision.

Burma was initially designated for TPS on May 25, 2021, on the basis of extraordinary and temporary conditions caused by a military coup that sparked political and humanitarian crises characterized by state-perpetrated violence against civilians, the arbitrary arrest and detention of demonstrators and the persecution of minority groups such as the Rohingya Muslims. This designation was subsequently extended and redesignated, most recently on May 26, 2024, with DHS citing ongoing violence in 315 of Burma's 330 townships; the abduction and trafficking of children for use in combat; and dire humanitarian needs stemming from food insecurity, a deteriorating economy and a collapsing healthcare system. Despite these findings, on November 24, 2025, you capriciously terminated TPS for Burma, effective January 26, 2026, asserting that "the situation in Burma has improved enough that it is safe for Burmese citizens to return home."

This characterization belies facts on the ground in Burma, which has been mired by intensified civil war since February 2021 and is reeling from a devastating earthquake in March 2025 that pushed the country's already strained infrastructure and health system further towards failure. It also appears contrary to the Department of State's own appraisal of conditions in Burma, including its level "Do Not Travel" advisory for the country that warns "Do not travel to Burma due to civil unrest, armed conflict, and arbitrary enforcement of local laws."

We are particularly alarmed that your justification for terminating TPS for Burma embraces the talking points of Burma's military junta. In your termination notice, you highlight the military State Administration Council's self-dissolution and revocation of its 2021 state of emergency and the National Defense and Security Council's plans to hold what you deem "free and fair" elections as signs of major improvement in Burma that guided your decision. However, you fail


to acknowledge that, after ending emergency rule in July, military leaders immediately reimposed a state of emergency and martial law in townships in 9 of Burma's 14 states and regions, admitted that scheduled elections in December 2025 and January 2026 will not be nationwide and passed a law designed to criminalize protests of the electoral process—guaranteeing tight military control over election administration.

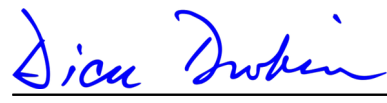
Contrary to your claims, these elections are not expected to alleviate the conflict in Burma. Since its 2021 coup, the Burmese military has banned or dissolved 40 political parties, leading international observers to denounce the upcoming elections as a farcical attempt to legitimize military rule. Additionally, humanitarian conditions have worsened this fall, as the military expands airstrikes on civilian sites and intensifies its campaign against Christian and Muslim minorities.


For these reasons, numerous international and non-governmental organizations have rebuked your TPS termination and the misleading claims of improvement that buoy it. The United Nations Special Rapporteur responsible for monitoring human rights violations in Burma condemned the termination as “an assault on human rights and human decency based on a cruel fiction that ignores overwhelming evidence of Myanmar's [Burma's] spiralling crisis,” adding that, “It is inconceivable that any good-faith review of Myanmar's situation could conclude that conditions are safe or improving...Attacks on civilians have reached record highs this year as the military burns villages, bombs churches, and jails, tortures, and executes its opponents.” These pervasive acts of violence inhibit safe return, and it is nonsensical and cruel to force 3,969 Burmese nationals and lawful TPS holders in the U.S. back to Burma to face violence—if not targeted persecution, detention and killing—when conditions clearly merit a TPS extension.


It is unconscionable that you refuse to interrogate the assertions of Burma's military junta—leaders of which your own Departments would block from entering the United States due to their gross violations of human rights—because their claims happen to help you justify President Trump's attacks on our lawful immigration system. Burmese TPS holders are human rights advocates, opposition figures, journalists and others who champion democracy and human rights, which are values that the United States has historically upheld and that enrich American communities. We ask that you immediately reverse your termination of TPS for Burma, and that you immediately cease staking the lives of lawful TPS holders on the promises of dictators and abusive military regimes.


Sincerely,


Tammy Duckworth
United States Senator

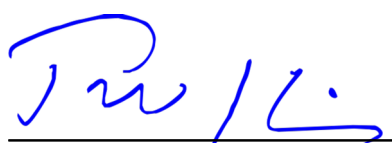

Richard J. Durbin
United States Senator



Jeanne Shaheen
United States Senator

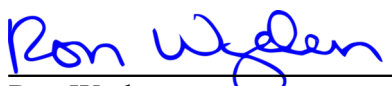

Jeffrey A. Merkley
United States Senator

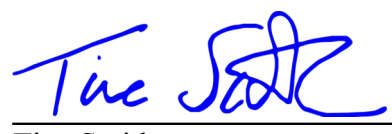

Chris Van Hollen
United States Senator

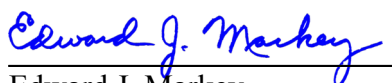

Andy Kim
United States Senator



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