Congress of the United States

Washington, DC 20515

November 13, 2026

The Honorable Markwayne Mullin
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

Director Joseph B. Edlow
U.S. Citizenship and Immigration Services
5900 Capital Gateway Drive
Camp Springs, MD 20588

Dear Secretary Mullin and Director Edlow:

The Trump Administration cannot recognize lawful immigration status on paper while denying it in practice. Federal verification failures are threatening the jobs, driver's licenses, and Social Security benefits of Salvadoran Temporary Protected Status (TPS) holders. They should not have to repeatedly prove that protections afforded them by the U.S. government in fact apply. We demand that you correct these failures immediately and restore any benefits wrongfully withheld.

TPS protects eligible people already in the United States from deportation and allows them to work when war, natural disaster, or other extraordinary conditions make returning home unsafe. El Salvador's current designation began in March 2001 after devastating earthquakes left the country unable to receive returning nationals safely. The first Trump administration tried to terminate it in 2018, but litigation prevented that decision from taking effect. The Biden administration rescinded the termination in 2023 and later extended the designation through September 9, 2026.[1]

The Department of Homeland Security (DHS) formally announces TPS decisions in the Federal Register, the government's official publication for agency actions. These notices explain who is covered, how long protections last, and how employers and agencies should recognize extended work permits. Yet the Trump administration let September 9, 2026, pass without publishing a new notice for El Salvador.[2] U.S. Citizenship and Immigration Services (USCIS) has nevertheless announced that Salvadoran TPS holders retain their protections, including work authorization, pending a further announcement.[3] But a website assurance is no substitute for clear instructions and systems that recognize those protections.

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[1] *Extension of the Designation of El Salvador for Temporary Protected Status,* 90 Fed. Reg. 5953, 5953-55 (Jan. 17, 2025), https://www.govinfo.gov/content/pkg/FR-2025-01-17/pdf/2025-00626.pdf.
[2] U.S. Citizenship and Immigration Services, *Temporary Protected Status Designated Country: El Salvador*, https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-el-salvador (last visited Nov. 5, 2026).
[3] *Id*.

Government agencies use USCIS's Systematic Alien Verification for Entitlements (SAVE) program to check immigration status when determining eligibility for benefits and licenses—for example, when state motor vehicle agencies review driver's license applications.[4] Employers use a separate USCIS system, E-Verify, to check whether workers are authorized to work in the United States.[5] A failed verification can cost a worker the license needed to get to work or the paycheck needed to pay rent. USCIS has issued instructions on extended Salvadoran TPS work permits before, including guidance on their validity through September 9, 2026.[6] It must ensure that those instructions and its verification systems reflect continuing protections.

The consequences extend beyond the workplace. One Massachusetts resident received an October 2, 2026, Social Security Administration (SSA) notice stating: "We cannot pay you benefits because you are not lawfully present in the U.S." SSA said benefits were no longer payable beginning in September, demanded repayment of more than $1,200 within 30 days, and gave the recipient just 10 days to submit proof of lawful presence to prevent an interruption.[7] That is not an abstract paperwork problem. It is a sudden loss of income, a bill for more than $1,200, and a scramble to prove eligibility.

We therefore urge the Administration to take immediate corrective action by: (1) updating SAVE and E-Verify records to reflect the continued validity of Salvadoran TPS-related employment authorization and lawful presence; (2) issuing written guidance to state agencies and employers clarifying that Salvadoran TPS beneficiaries remain authorized to work and access benefits for which they are otherwise eligible; (3) directing the SSA to halt and reverse any improper benefit terminations based on outdated verification data; and (4) ensuring that any future TPS-related changes are synchronized across all federal verification systems before implementation to prevent similar disruptions.

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[4] U.S. Citizenship and Immigration Services, *SAVE*, https://www.uscis.gov/save; U.S. Department of Homeland Security, *Systematic Alien Verification for Entitlements (SAVE) Program,* https://www.dhs.gov/publication/systematic-alien-verification-entitlements-save-program; U.S. Citizenship and Immigration Services, *Verification Process*, https://www.uscis.gov/save/about-save/save-verification-process (last visited Nov. 5, 2026).

[5] Social Security Administration, *Additional SSN Verification Options*, https://www.ssa.gov/employer/ssnvadditional.htm (last visited Nov. 5, 2026).

[6] U.S. Citizenship and Immigration Services, *Update on Temporary Protected Status for El Salvador (Release: Sept. 03, 2026)*, https://www.uscis.gov/i-9-central/form-i-9-related-news/update-on-temporary-protected-status-for-el-salvador-release-sept-03-2026.

[7] Social Security Administration, Important Information (Oct. 2, 2026), at 1–2 (notice to a Massachusetts resident; identifying information withheld).

To determine how these failures occurred, who has been harmed, and when relief will reach affected families, please respond in writing to the following questions by November 27, 2026:

1. What information are SAVE and E-Verify returning for Salvadoran TPS holders whose documents show expired dates?
    (a) How do those responses reflect the Administration's announcement that protections and work authorization continue?
    (b) What should agencies and employers do when a response conflicts with that announcement?

2. When did DHS and USCIS first learn of these verification problems, and what caused them?
    (a) Which records, system rules, or agency instructions are affected?
    (b) Who is responsible for each correction, and when will it be completed?

3. How many Salvadoran TPS holders have been affected since September 9, 2026?
    (a) Break down available data by state, verification system, and resulting employment, benefit, or license denial, suspension, or delay.
    (b) How will you identify and assist people who have not filed complaints?

4. What is DHS doing with SSA to determine why Salvadoran TPS holders have been found not lawfully present?
    (a) What role, if any, did SAVE responses or other DHS records play?
    (b) When will erroneous suspensions and repayment demands be reversed, and missed benefits paid?

5. What written guidance have you provided to employers and benefit and licensing agencies to prevent further harm?
    (a) Supply that guidance and describe the interim verification process while corrections are pending.
    (b) How will you notify affected people, provide language assistance, and help them resolve errors?

6. How will you prevent these failures from recurring?
    (a) What procedures will keep TPS announcements, documents, verification systems, and agency instructions consistent?
    (b) Who will test and approve those updates before they take effect?

Families cannot await a future TPS announcement to receive protections they are already entitled to. We urge you to act immediately to prevent further harm and make affected people whole.

Sincerely,

Edward J. Markey
United States Senator

Elizabeth Warren
United States Senator

Jake Auchincloss
Member of Congress

Katherine M. Clark
Member of Congress

William R. Keating
Member of Congress

Stephen F. Lynch
Member of Congress

James P. McGovern
Member of Congress

Seth Moulton
Member of Congress

Richard E. Neal
Member of Congress

Ayanna Pressley
Member of Congress

Lori Trahan
Member of Congress