

Congress of the United States

Washington, DC 20515

October 11, 2023

The Honorable Joseph R. Biden
President of the United States
1600 Pennsylvania Avenue, NW
Washington, DC 20500

The Honorable Alejandro Mayorkas
Secretary of the Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20016

The Honorable Ur Jaddou
Director of Citizenship and Immigration Services
20 Massachusetts Ave NW
Washington, DC 20001

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By ESEC at 9:32 am, Oct 11, 2023

RE: Temporary Protected Status for Nicaragua

Dear President Biden, Secretary Mayorkas, and Director Jaddou:

We commend the Biden Administration’s decision to re-designate Temporary Protected Status (TPS) for Venezuelans in the United States.¹ However, an 18-month extension of TPS for Nicaragua instead of TPS redesignation falls short of the response needed to address the multiple ongoing and emergent crises. We are hopeful that the Biden Administration will continue to evaluate the situation and ultimately make the correct decision in light of the impact it would have on approximately 450,000 Nicaraguans in the United States.² On September 11, 2023, Secretary Mayorkas stated that the Department of Homeland Security does not “have any intention right now to re-designate Nicaragua for Temporary Protected Status,” but added that they “continuously review the country conditions.”³ We expect that a closer examination of the dire humanitarian situation in Nicaragua and the uncertainty of thousands who reside in the United States – including more than 200 who have been rendered stateless – will lead to a finding that TPS redesignation is necessary for Nicaragua. Given this and the deteriorating rule of law situation, we urgently request your administration to re-designate TPS for Nicaragua.

As you well know, Nicaragua is facing a socio-political and humanitarian crisis that has been worsening for years. President Ortega’s regime has repeatedly violated human rights, suppressed

¹ *Secretary Mayorkas Announces Extension and Redesignation of Venezuela for Temporary Protected Status*, U.S. DEPT. OF HOMELAND SECURITY (Sept. 20, 2023), <https://www.dhs.gov/news/2023/09/20/secretary-mayorkas-announces-extension-and-redesignation-venezuela-temporary>.

² Mohamad Moslimani et al., *Facts on Hispanics of Nicaraguan Origin in the United States, 2021*, PEW RESEARCH CTR. (Aug. 16, 2023), <https://www.pewresearch.org/hispanic/fact-sheet/us-hispanics-facts-on-nicaraguan-origin-latinos/>.

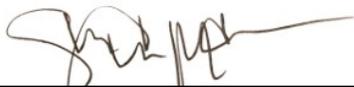
³ Syra Ortiz Blanes & Michael Wilner, *U.S. has no plans to expand protected-status for Nicaraguans, Homeland Security chief says*, MIAMI HERALD (Sept. 13, 2023), <https://www.miamiherald.com/news/local/immigration/article279229799.html>.

political dissent, and engaged in acts of violence against its citizens. As recently as September 12, the United Nations has warned of escalating attacks against Nicaraguan civil society.⁴ The Nicaraguan people have endured unimaginable suffering, with hundreds of thousands forced to flee their homes in search of safety and stability. Furthermore, 222 former Nicaraguan political prisoners, now residing in the United States, had their citizenship stripped away and remain stateless.⁵ This group must be protected by TPS re-designation given the ongoing legal disputes regarding humanitarian parole, which many are currently relying on to be able to stay in the United States. These conditions, combined with continued recovery from environmental disasters, prevent Nicaraguans from safely returning to their country.

A TPS redesignation for Nicaragua would undoubtedly save lives and be one of the most consequential immigration policies to date for the Administration. A redesignation would provide security and opportunity to those already living in the United States and waiting in legal limbo. Furthermore, it would give these individuals, many of whom are already strongly integrated into their communities, permission to work and access key benefits. We believe this would be a missed opportunity to stand up for the values of human rights, democracy, and compassion for communities around the United States.

We strongly urge the Biden administration to reconsider its decision and grant a redesignation for Temporary Protected Status for Nicaragua. Doing so would provide relief to hundreds of thousands of people, promote economic integration, and support host communities. We hope you will continue to uphold our nation's commitments to protect those being persecuted and continue to support the Nicaraguan people in the face of such peril and uncertainty. Thank you for your consideration.

Sincerely,



Sheila Cherfilus-McCormick
Member of Congress



Joaquin Castro
Member of Congress

⁴ Human Rights Council, *Group of Experts on Nicaragua finds escalating persecution against dissent and crackdown on independent academic institutions*, UNITED NATIONS (Sept. 12, 2023), <https://www.ohchr.org/en/news/2023/09/group-experts-nicaragua-finds-escalating-persecution-against-dissent-and-crackdown?sub-site=HRC>.

⁵ Megan Janetsky, *Nicaragua's vote to strip opponents of citizenship*, AP (Feb. 14, 2023), <https://apnews.com/article/politics-united-states-government-district-of-columbia-bahrain-caribbean-526da05d118c6809c8f316375cb68194>.



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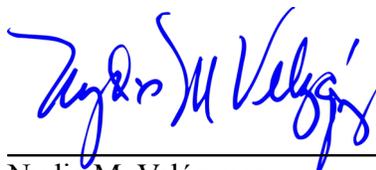
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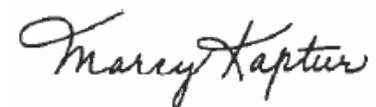
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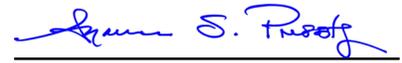
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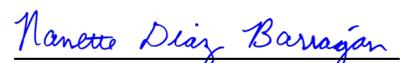
Zoe Lofgren
Member of Congress



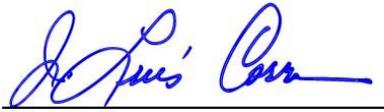
Juan Vargas
Member of Congress



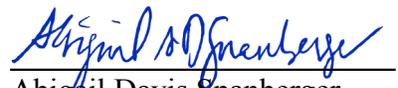
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Member of Congress



**U.S. Citizenship
and Immigration
Services**

December 8, 2023

The Honorable Sheila Cherfilus-McCormick
U.S. House of Representatives
Washington, DC 20515

Dear Representative Cherfilus-McCormick:

Thank you for your October 11, 2023 letter to the Department of Homeland Security (DHS) and U.S. Citizenship and Immigration Services (USCIS) requesting redesignation of Nicaragua for Temporary Protected Status (TPS). I am responding on behalf of DHS.

I appreciate your concerns regarding the situation in Nicaragua, and DHS is closely monitoring conditions there. TPS decisions are made after consultation with interagency partners and careful consideration based on the specific criteria in Immigration and Nationality Act §§ 244(b)(1) and 244(b)(3).

In addition to TPS, USCIS also offers immigration relief that may be available upon request in emergencies or unforeseen circumstances. This relief includes:

- For Nicaraguan nationals already present in the U.S. with nonimmigrant status, an applicant may request a change or extension of nonimmigrant status if eligible, even if the request is filed after the authorized period of admission has expired;
- Expedited processing of requests for advance parole documents;
- Expedited adjudication of requests for off-campus employment authorization for F-1 students experiencing severe economic hardship;
- Expedited adjudication of employment authorization applications, where appropriate;
- Assistance if applicants received a Request for Evidence or a Notice of Intent to Deny and were unable to appear for an interview, submit evidence, or respond in a timely manner because of the circumstances; and
- Replacement of lost or damaged immigration or travel documents issued by USCIS, such as a Permanent Resident Card (Green Card).

More information can be found at <https://www.uscis.gov/newsroom/immigration-relief-in-emergencies-or-unforeseen-circumstances>.

Thank you again for your letter and interest in this important issue. The cosigners of your letter will receive a separate, identical response. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", with a long horizontal flourish extending to the right.

Ur M. Jaddou
Director