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March 6, 2023

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Attorney General Merrick B. Garland
US Department of Justice
950 Pennsylvania Avenue NW
Washington DC 20530

Secretary Alejandro Mayorkas
U.S. Department of Homeland Security
301 7th Street, SW
Washington, DC 20528

Secretary Antony Blinken
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

CC:

The Hon. Juan González
Senior director for the Western Hemisphere
National Security Council
1650 17th St NW,
Washington, DC 20500

Ambassador Kevin Sullivan
U.S. Embassy Managua
Km.5 ½ Carretera Sur
Managua, Nicaragua

RE: Redesignation and extension of **Temporary Protective Status for Nicaragua**

President Biden, Attorney General Garland, Secretary Mayorkas, Secretary Blinken
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Dear President Biden, Attorney General Garland, Secretary Mayorkas, and Secretary Blinken
(cc: Mr. González, Ambassador Sullivan):

The undersigned 100 representative Nicaraguan Americans write with hope and gratitude as the United States welcomes 222 former political prisoners and is implementing the Humanitarian Parole program that will lawfully and safely permit fellow Nicaraguans to live and work among us. The social, political, and human rights crises that began in April 2018, have continued to worsen, resulting in unprecedented migration flows towards the US-Mexico border. We know the US State Department and other US government agencies, members of both branches of Congress, and other public officials at all levels are closely monitoring the situation, as are concerned government officials and human rights defenders around the world.

Mr. President, Mr. Attorney General, Messrs. Secretaries: While we applaud the administration's efforts in regulating migration and providing for an orderly process, we are deeply concerned about Nicaraguans already in U.S. soil whose immigration status is uncertain. Many have meritorious asylum claims but will be unable to meet the requisite burden of proof because they, or their relatives, are denied access to documents, including passports and birth certificates, by Nicaraguan government officials eager to castigate political dissent. Many might face deportation back to a country where their safety will be in peril. The United States has international obligations in this regard under the doctrine of non-refoulement, but many won't be able to assert this because they lack adequate, or any, legal representation in immigration proceedings. Hence the only way to guarantee their life and liberty is through temporary protection like the one contemplated in 8 U.S.C. § 1254(a) and 8 C.F.R. 244, et. Seq.

Country conditions in Nicaragua are well known to all branches of the U.S. government. We believe Nicaraguans covered under previous designation and subject to legal proceedings under the *Ramos v. Nielsen* case (Case No. 3:18-cv-1554, US District Court for the Northern District of California, currently *Ramos v. Wolf*, No. 18-16981, US Court of Appeals for the Ninth Circuit) merit extension of their status. Other Nicaraguans are eligible for redesignation of TPS under 8 U.S.C. § 1254(a)(B)(1)(i) and (ii). **To the extent that one of the requirements is that the foreign state officially requests designation under that subparagraph and there is no possibility that such a request will be forthcoming from the current government of Nicaragua, we make use of our citizen prerogative as sovereign conferred under Article 2 of the Nicaraguan constitution, and present such a request on behalf of the people of Nicaragua.** Notwithstanding, we also believe such redesignation is warranted under 8 U.S.C. § 1254(a)(C), as the Attorney General will find that there exist extraordinary and temporary conditions in Nicaragua that prevent over 50,000 Nicaraguans from returning there safely.

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We join over 275 community organizations, along with members of both the US Senate and the US House of Representatives, who have written to you advocating for this humanitarian and meritorious exercise of discretion. We ask that you give it all due consideration.

Respectfully yours,

[100 REPRESENTATIVE NICARAGUAN AMERICANS]

Names omitted for security reasons