

Congress of the United States

Washington, DC 20515

July 15, 2022

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By ESEC at 11:39 am, Jul 15, 2022

Dear Mr. President and Secretary Mayorkas:

We write to urgently request your Administration redesignate and extend Temporary Protected Status (TPS) for Nicaragua. Florida is home to a vibrant community of Nicaraguans many of whom are undocumented and have resided in the U.S. for years while unrest in Nicaragua continues. The recent expiration of Nicaragua's TPS designation places more than 4,500 Nicaraguans that fled the destruction of Hurricane Mitch in 1998, and the more than 60,000 Nicaraguans fleeing repression of the Daniel Ortega regime at grave risk if they are forcibly repatriated.

Since the initial designation in 1998, conditions in Nicaragua continue to deteriorate. The combined effect of the Ortega regime's socio-political oppression, failed response to the COVID pandemic, and back-to-back hurricanes in early 2020 crippled economic opportunity of the already second-poorest nation in the Western Hemisphere. According to the World Bank, the widespread instability of these crises between 2018 and 2020 drove an almost 9% loss in Gross Domestic Product and reduced family incomes in 44 percent of households by mid-2021.

Recent action by Daniel Ortega and his socialist Sandinista National Liberation Front (FSLN) Party to jail and torture political opposition during the 2021 election demonstrate their commitment to violence and repression of the Nicaraguan People, while justice eludes the families of up to 600 peaceful protesters murdered by the regime in 2018. Since then, Ortega further solidified his dictatorial rule by systematically dismantling all democratic processes of government, leaving Nicaragua unsafe for the nearly 65,000 Nicaraguans currently seeking refuge in the United States.

In April 2022, repression worsened when Ortega-controlled parliamentary commissions put forward criminal legislation to tighten penalties and subject protesters and political challengers to additional repressive measures such as confiscation of assets. Parliament has also shut down or expelled at least 454 human rights, education, medical, professional and development organizations since November 2018. Academic freedom and the autonomy of universities are also threatened. At least 12 institutions are now under state control after their legal status was arbitrarily canceled.

Congress gave the administration the power to grant Temporary Protected Status to provide humanitarian relief to citizens whose countries were suffering from protracted conflict. Given the growing political, economic, and human rights crises, we strongly urge you to redesignate and extend the original 1998 TPS designation and to protect tens of thousands of Nicaraguan men, women, and children who would face great risk to their safety should they return to Nicaragua at this time. We further call on you to take all

actions within your authority to support the Nicaraguan diaspora whether located here in the U.S., still trapped in Nicaragua, or struggling to find their place abroad.

Thank you for your consideration.

Sincerely,



Charlie Crist
Member of Congress



Darren Soto
Member of Congress



Sheila Cherfilus-
McCormick
Member of Congress



Stephanie Murphy
Member of Congress



Maria Elvira Salazar
Member of Congress



Debbie Wasserman Schultz
Member of Congress



Kathy Castor
Member of Congress



Frederica S. Wilson
Member of Congress



U.S. Citizenship
and Immigration
Services

August 17, 2022

The Honorable Charlie Crist
U.S. House of Representatives
Washington, DC 20515

Dear Representative Crist:

Thank you for your July 15, 2022 letter to the Department of Homeland Security (DHS) requesting a redesignation and extension of Temporary Protected Status (TPS) for Nicaragua. U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS and implementing the program. Secretary Mayorkas asked that I respond on his behalf.

We appreciate the information you have provided on conditions in Nicaragua. DHS is monitoring conditions in the country and is committed to administering its programs, including TPS, in a fair and equitable manner. DHS makes decisions to designate TPS after consultation with interagency partners and careful consideration of the circumstances of the country.

On September 14, 2020, in *Ramos et al. v. Wolf et al.*, No. 18-16981 (9th Cir., Sept. 14, 2020),¹ a three-judge panel of the U.S. Court of Appeals for the Ninth Circuit vacated the district court's injunction that prohibited DHS from terminating TPS for El Salvador, Haiti, Nicaragua, and Sudan. However, because the appellate court has not issued its directive to the district court to make that ruling effective, the injunction remains in place at this time. On September 10, 2021, DHS published a Federal Register notice (FRN) announcing that beneficiaries under the TPS designations of Nicaragua, El Salvador, Haiti, Honduras, Nepal, and Sudan will retain their TPS while the preliminary injunction in *Ramos* remains in effect, provided their TPS is not withdrawn because of individual ineligibility. In compliance with the injunction, DHS has automatically extended the validity of Employment Authorization Documents and other TPS-related documentation for TPS beneficiaries affected by the injunction through December 31, 2022. If necessary, DHS will publish future FRNs to continue its compliance with the court orders. For further information, please visit the TPS country page for Nicaragua on the USCIS website.²

¹ <https://www.uscis.gov/sites/default/files/document/injunctions/9th-Circuit-TPS-Opinion-09-14-2020.pdf>

² <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-nicaragua>

I appreciate the concerns you have outlined regarding the situation in Nicaragua and your interest in its redesignation and extension for TPS due to the current conditions in Nicaragua. Please be assured that DHS offers support that may be available upon request to assist eligible Nicaraguan nationals residing in the United States who have been affected by these conditions, including:

- Change or extension of nonimmigrant status if eligible nationals are currently in the United States, even if the request is filed after the authorized period of admission has expired;
- Expedited processing of requests for travel authorization 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 pandemic; and
- Replacement of lost or damaged immigration or travel documents issued by USCIS, such as a Permanent Resident Card (Green Card).

Thank you 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