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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**

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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,

- 01 Norman Caldera Cardenal, former minister of foreign relations, former minister of trade, and former minister of international cooperation.
- 02 Salvador Stadthagen, former vice minister of foreign relations and former ambassador to Washington
- 03 Javier Williams, former vice minister of foreign relations and former Nicaraguan ambassador to Belize
- 04 José B. Pallais-Arana, former vice minister of foreign relations; former member National Assembly, and former political prisoner (part of 222 brought on February 9, 2023)
- 05 Humberto Belli, former minister of education
- 06 Graciela Zambrana, former member National Assembly
- 07 Martín Vega, former staff, ministry of foreign relations, Nicaragua
- 08 José Dennis Martínez, former MLB player, Baltimore Orioles, Montreal Expos, Cleveland Indians, Seattle Mariners, and Atlanta Braves
- 09 Bianca Jagger, Founder and president, Bianca Jagger Human Rights Foundation
- 10 Harold O.M. Rocha, J.D./LL.M., American attorney and legal academic
- 11 Claudio Acevedo, Accounting & Finance Manager
- 12 Nicasio Urbina, Ph.D., professor of Spanish literature, University of Cincinnati
- 13 Julio Sevilla, Ph. D., professor of marketing, University of Georgia
- 14 Pedro J. Álvarez, Ph.D., professor of engineering, Rice University
- 15 Francisco Larios, Ph.D., professor of economics, Miami-Dade College

- 16 Jorge Huete-Pérez, Ph.D., senior vice president, Central American University
- 17 Alvaro Baca, clinical law professor, Oklahoma University
- 18 Norman E. Portillo, MBA, Senior Director of Development, University of Florida
- 19 Roberto M Bendaña, Ph.D. Cand., Texas A&M University
- 20 Liliana Cisneros-Argeñal, Ph.D. Cand, University of Wisconsin
- 21 Gabriel Samcam Vargas, student, Princeton University
- 22 Felipe Pereira Debayle, student, Duke University Law School
- 23 Maureen Porras, J.D., immigration attorney and councilwoman, City of Doral, FL
- 24 Juan M. Saborío, J.D., immigration attorney
- 25 Astrid Carolina Montealegre, J.D., immigration attorney, NAHRA*
- 26 Julio Montiel-López, J.D., immigration attorney
- 27 Jaime B Flores-Lovo, J.D., immigration attorney
- 28 Jose Bernardo Lovo, JD, immigration attorney
- 29 Ronaldo López, immigration paralegal
- 30 Pablo Cuevas, immigration paralegal
- 31 Muriel Gómez-Sáenz, immigration paralegal, NEEM-Texas
- 32 Yareliz E Mendez-Zamora. Florida Immigrant Coalition
- 33 Berta Sanles-Wilson, American Friends Service Committee
- 34 Felix Maradiaga, MPA, former candidate for president and former political prisoner
(part of 222)
- 35 Medardo Mairena Sequeira, former candidate for president and former political prisoner
(part of 222)
- 36 Samantha Jirón, former political prisoner (part of 222)
- 37 Kevin Roberto Solís, former political prisoner (part of 222)
- 38 Berta Valle, political and human rights activist

- 39 Ana Silvia Ortez, Iniciativa por el Cambio
- 40 Ana Margarita Abaunza-Ramos, architect, Iniciativa por el Cambio
- 41 Mario Ivan Cárcamo, D.O., Optometry Physician, Florida
- 42 Gertrudys Canales, M.D., family doctor, California
- 43 Horacio García-Mejía, MBA, business owner, Washington
- 44 Úrsula Sansón, MBA, Business Advisor with SBDC
- 45 Klaus Stadthagen, MBA., professional engineer, Florida
- 46 María Cárcamo, D.O., CFO New Vision Unlimited, Texas
- 47 Julio Fischer, business owner, Florida
- 48 Michele Salas, business owner, Florida
- 49 Katiana McCown, Solution Engineer at Salesforce, Illinois
- 50 Scarlett Lanzas, Nonprofit executive, Florida
- 51 Enrique Lacayo, Optometrist technician and analyst
- 52 Douglas Lee, Ph.D., finance, Florida
- 53 Ricardo Cesar Maldonado Alonso, web developer
- 54 Javier Báez, Systems Engineer, Florida
- 55 Alfredo Gutiérrez, business consultant, Florida
- 56 Cinthia Guerrero-Méndez, business owner, Florida
- 57 Ligia Lugo, real estate broker, Florida
- 58 Cecilia Borge, social worker, Florida
- 59 Otto Münkell, business administrator, Florida
- 60 César Lacayo, professional engineer, Florida
- 61 Yader Alfonso Morazán-Flores, Nicaraguan lawyer and human rights activist
- 62 María Asunción Moreno Castillo, D. Der., Nicaraguan lawyer and human rights activist

- 63 Esperanza Cuevas, immigration and human rights activist
- 64 Aura Lila Beteta, human rights activist, California
- 65 Grethel I.Gómez, Organization of Victims of April, Mothers of April
- 66 Grettel Campbell Sarriá, Nicaragua Libre Los Ángeles
- 67 Ana Wells-Ortega, president NAHRA
- 68 Sophia Carballo, treasurer, NAHRA
- 69 Carolina Sediles, vice president NAHRA
- 70 Sergio Jaime-López, communications, NAHRA
- 71 Oswaldo León, public relations, NAHRA
- 72 Damaris Rostrán, Mesa de Trabajo NY/NJ
- 73 Ada M. Herrera, Mesa de Trabajo NY/NJ
- 74 Adolfo Gutiérrez, Mesa de Trabajo NY/NJ
- 75 Rosita Gutiérrez, Mesa de Trabajo NY/NJ
- 76 Diego Hugo Meneses, Mesa de Trabajo, NY/NJ
- 77 Alfonso Hernández, public schools teacher, Conexión NICA-USA
- 78 Otoniel Alexander Soza-Ramírez, MBA, Conexión NICA-USA
- 79 Rudy Siles Espinoza, Conexión NICA-USA
- 80 Manuel I Prado, CFP. Texas Nicaraguan Community
- 81 Roy Molina, Yacht Club manager, Nicaraguan Freedom Coalition
- 82 Fr. Marcos Somarriba, Catholic priest, Saint Agatha, Miami
- 83 Fr. Erick Díaz, Catholic priest, Our Lady of the Lake, Chicago
- 84 Pastor Melvin Valiente, First Baptist Church of Maywood ,California
- 85 Tifani M. Roberts, journalist, Univisión, Miami
- 86 Aníbal E. Toruño, journalist, Radio Darío, Miami

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- 87 Iván Taylor, journalist CBS4 Miami
- 88 Luis Galeano, journalist, Café con Voz, Miami
- 89 Emiliano Chamorro-Mendieta, independent journalist, Delaware
- 90 Tito Lagos-Bassett, journalist and business owner, California
- 91 Nicolás López-Maltez, journalist and historian, Miami
- 92 Jorge Sevilla, writer-poet, Florida
- 93 Edwin Carcache, former political prisoner
- 94 Julio Martinez Ellsberg, Social Project Manager / Researcher
- 95 Martin Cisneros, Exact Sciences Laboratories staff, University of Wisconsin
- 96 Luis H Sánchez, realtor and political activist, New York
- 97 Katherine Leiva, Chief of Staff, Office of School Board Member Luisa Santos, Miami
- 98 Claudia León-York, International Republican Institute
- 99 Fidel Moreira, International Republican Institute
- 100 Jonathan Duarte, Political Consultant



U.S. Citizenship
and Immigration
Services

July 3, 2023

Norman Caldera Cardenal
Former Minister of Foreign Relations
tpsformicaragua@gmail.com

Dear Mr. Caldera Cardenal:

Thank you for your March 6, 2023 letter to the Department of Homeland Security (DHS) requesting an extension and redesignation of Nicaragua for Temporary Protected Status (TPS). I am responding on behalf of the Department, as U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

As you know, on June 9, 2023, after careful consideration, including a thorough review of the country conditions and consultation with interagency partners, Secretary Mayorkas announced the rescission of the previous Administration's termination of the TPS designation of Nicaragua and extended the TPS designation for 18 months on the basis of environmental disaster. This designation will be in effect from January 6, 2024 through July 5, 2025. For additional information, please see the press release announcing the extension.¹ On June 21, 2023, DHS published a *Federal Register* notice to provide instructions for current beneficiaries to re-register for TPS.²

In addition to TPS, USCIS also offers support that may be available upon request to assist eligible noncitizens affected by special situations in their home country. Such support may include:

- Change or extension of nonimmigrant status if the eligible noncitizen is currently in the United States, 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;

¹ *DHS Rescinds Prior Administration's Termination of Temporary Protected Status Designations for El Salvador, Honduras, Nepal, and Nicaragua*, <https://www.dhs.gov/news/2023/06/13/dhs-rescinds-prior-administrations-termination-temporary-protected-status>.

² *See Reconsideration and Rescission of Termination of the Designation of Nicaragua for Temporary Protected Status; Extension of the Temporary Protected Status Designation for Nicaragua*, 88 FR 40294 (June 21, 2023).

- Expedited adjudication of employment authorization applications, where appropriate;
- Flexibility for those who 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 due to the special situation; and
- Replacement of lost or damaged immigration or travel documents issued by USCIS, such as a Permanent Resident Card (Green Card).

More information on these options is available 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. Please share this response with the other organizations that cosigned your letter. Should you require any additional assistance, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a horizontal line extending to the right.

Ur M. Jaddou
Director