

Congress of the United States
Washington, DC 20515

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By ESEC at 12:57 pm, Oct 18, 2024

October 11, 2024

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue NW
Washington, D.C. 20016

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

Dear Secretary Mayorkas and Secretary Blinken,

We are grateful for the Administration's decision to extend Temporary Protected Status (TPS) for Nepali nationals until June 24, 2025. While this has provided temporary relief, approximately 19,000 Nepali TPS holders and potential beneficiaries remain unsure as to what may happen after that date.¹ Given Nepal's ongoing environmental and infrastructure challenges, we urge you to redesignate Nepal for TPS.

As you know, TPS is a form of protection from deportation granted to foreign nationals, residing in the United States, whose countries are unsafe for return. This protection is critical for individuals from nations experiencing armed conflict, natural disasters, or other extraordinary circumstances that jeopardize their safety. Nepal meets the statutory conditions for TPS on multiple grounds, as detailed below.

In 2015, the Department of Homeland Security designated Nepal for TPS following a 7.8 magnitude earthquake, which caused more than 8,700 fatalities and 20,000 injuries and displaced millions of people. When the Trump Administration terminated TPS for Nepal, beneficiaries faced job loss and deportation. Although the termination was successfully challenged in court under *Ramos v. Mayorkas* and eventually resolved by the plaintiffs, the future for current beneficiaries remains uncertain as we approach June 2025.²

Nepal is disproportionately affected by climate change, experiencing frequent and severe natural disasters and displacements. The country is at high risk of flooding, landslides, droughts, and waterborne diseases, with 80 percent of the population residing in rural areas. In 2020, 48,000 people were displaced due to natural disasters and conflict.³ Additionally, in 2022 the country experienced 5,700 natural disaster incidents, including devastating floods and landslides.⁴ More recently, after an earthquake in October 2023, 36,250 individuals reportedly lost their homes or experienced major disruptions.⁵ In November 2023, additional earthquakes killed at least 133 more people.⁶

¹ fwd.us. (2023, February). Temporary Protected Status protects families while also boosting the U.S. economy.

² *Ramos v. Mayorkas*, 18-cv-01554 (N.D. Cal. Dec. 28, 2023).

³ U.S. Department of State. (2021). 2021 Country Reports on Human Rights Practices: Nepal.

<https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/nepal/>

⁴ United Nations Sustainable Development Group. (2023, December 4). United in the face of Disaster: Nepal Navigates Climate Risks. <https://unsdg.un.org/latest/stories/united-face-disaster-nepal-navigates-climate-risks>


⁵ ReliefWeb. (2023, October). Nepal: Earthquake Oct 2023. <https://reliefweb.int/disaster/eq-2023-000182-npl>

⁶ United Nations Office for the Coordination of Humanitarian Affairs. (2023, November). Asia and the Pacific.

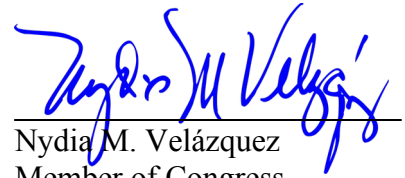
Infrastructure and economic challenges hinder recovery and rebuilding in Nepal. 20 percent of the population lives in poverty and because the economy relies heavily on remittances—which make up 26 percent of the GDP—the country is vulnerable to outside economic factors.⁷ Earthquakes and COVID-19 have only worsened economic conditions in recent years.⁸ The government of Nepal has experienced continuous instability since the adoption of the Constitution in 2015, and has not been able to provide adequate responses to these crises.⁹

The combination of ongoing natural disasters and economic challenges underscores the need for continued protection under TPS. We urge you to extend and redesignate TPS for Nepal for an additional 18 months and allow current TPS holders to remain safely in the United States until the situation in their home country improves.

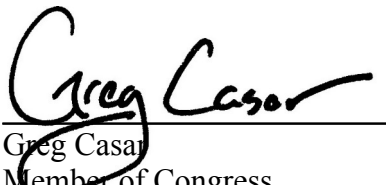
Sincerely,



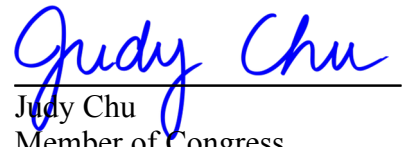
Grace Meng
Member of Congress



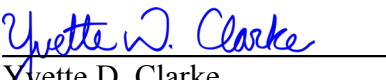
Nydia M. Velázquez
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Greg Casar
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Judy Chu
Member of Congress



Yvette D. Clarke
Member of Congress



Adriano Espaillat
Member of Congress

Nepal: Western Nepal Earthquake 2023 - Flash Update No. 01.
<https://reports.unocha.org/en/country/asia-pacific/card/5ogUqoPIQE/>

⁷ The World Bank in Nepal. World Bank Group. (2024, April 2).
<https://www.worldbank.org/en/country/nepal/overview>.

⁸ Prasain, K. (2024, February 13). *Nepal sees less than expected decline in poverty*. The Kathmandu Post.
<https://kathmandupost.com/money/2024/02/13/nepal-sees-less-than-expected-decline-in-poverty>

⁹ The World Bank in Nepal. World Bank Group. (2024, April 2).
<https://www.worldbank.org/en/country/nepal/overview>



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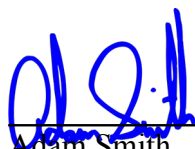
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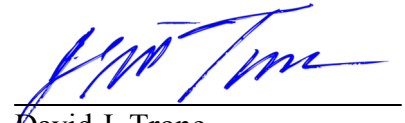


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Member of Congress



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

November 04, 2024

The Honorable Grace Meng
U.S. House of Representatives
Washington, DC 20515

Dear Representative Meng:

Thank you for your October 11, 2024 letter to the Department of Homeland Security (DHS). I am responding on behalf of the Department.

Statutory criteria guide the Secretary of Homeland Security's authority to designate a country for Temporary Protected Status (TPS) and extend or terminate a country's existing TPS designation. To designate a country for TPS or extend a country's TPS designation, the Secretary must find one or more of the following:

- (1) there is an ongoing armed conflict within the country that would pose a serious threat to the personal safety of the country's nationals if they were returned;
- (2) there has been an environmental disaster resulting in a substantial, but temporary, disruption of the living conditions in the area affected, the country is temporarily unable to handle adequately the return of its nationals, and the country has officially requested TPS designation; or
- (3) there exist extraordinary and temporary conditions in the country that prevent nationals from returning in safety, and the Secretary does not find that permitting the country's nationals to remain temporarily in the United States would be contrary to the national interest of the United States.

At least 60 days before the expiration of a TPS designation or extension, the Secretary, after consultation with appropriate U.S. government agencies, must review the conditions in the designated country to determine whether they continue to meet the conditions for the TPS designation.

I appreciate the concerns you have outlined regarding the situation in Nepal and your interest in its extension and redesignation for TPS. Please be assured that DHS is monitoring conditions in Nepal. DHS is committed to administering its programs, including TPS, in an equitable manner, and makes decisions on TPS after consultation with interagency partners and

careful consideration of the circumstances of the country. More information about TPS eligibility requirements is available on the U.S. Citizenship and Immigration Services (USCIS) website at uscis.gov/humanitarian/temporary-protected-status.

USCIS also offers immigration relief and applies flexibilities that may be available upon request to eligible individuals in the United States (including Nepalese nationals) affected by emergencies or unforeseen circumstances. Such relief and flexibilities may include:

- Change of nonimmigrant status or extension of nonimmigrant stay for nonimmigrants 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 nonimmigrant 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 emergency or unforeseen circumstances; and
- Expedited replacement of lost or damaged immigration or travel documents issued by USCIS, such as a Permanent Resident Card (Green Card).

See Newsroom: Immigration Relief in Emergencies or Unforeseen Circumstances, available online 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", followed by a horizontal line extending to the right.

Ur M. Jaddou
Director