

JAMES E. RISCH, IDAHO  
MARCO RUBIO, FLORIDA  
RON JOHNSON, WISCONSIN  
JEFF FLAKE, ARIZONA  
CORY GARDNER, COLORADO  
DAVID PERDUE, GEORGIA  
JOHNNY ISAKSON, GEORGIA  
RAND PAUL, KENTUCKY  
JOHN BARRASSO, WYOMING

BENJAMIN L. CARDIN, MARYLAND  
BARBARA BOXER, CALIFORNIA  
ROBERT MENENDEZ, NEW JERSEY  
JEANNE SHAHEEN, NEW HAMPSHIRE  
CHRISTOPHER A. COONS, DELAWARE  
TOM UDALL, NEW MEXICO  
CHRISTOPHER MURPHY, CONNECTICUT  
TIM KAINE, VIRGINIA  
EDWARD J. MARKEY, MASSACHUSETTS

# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

April 30, 2014

President Barack Obama  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Dear President Obama:

In light of the devastating earthquake in Nepal and resulting humanitarian crisis, I respectfully request that your Administration promptly take all necessary steps to ensure that Nepalese nationals present in the United States are not forced to return to Nepal, including the designation of Nepal for Temporary Protected Status (TPS).

As you know, TPS can be granted to nationals of another country “due to conditions in the country that temporarily prevent the country's nationals from returning safely.” In particular, a country may be designated for TPS due to “an environmental disaster (such as earthquake or hurricane).”

Nepal clearly meets the standard for TPS. The United States Ambassador to Nepal issued a disaster declaration and the U.S. Government has launched a large-scale humanitarian response effort to help meet basic human needs including water, food, shelter, and medical assistance. The Embassy advises travelers to “defer all non-essential travel,” and for those currently in Nepal to, “shelter in place,” due to the risk of continuing aftershocks and the fragile infrastructure. Forcing Nepalese back at this time places them at great risk and may subject them to a situation where they would require international humanitarian assistance.

It is important to note that granting TPS to Nepal will not endanger our security. An alien is ineligible for TPS if he has a criminal background or poses a threat to national security. The decision to deny, withdraw or terminate TPS is in the sole discretion of the government; there is no judicial review of such a determination. Moreover, TPS is not a backdoor to U.S. citizenship. TPS does not make a beneficiary eligible for legal permanent resident status or U.S. citizenship. When the TPS designation of a country is terminated, beneficiaries revert to the same immigration status they maintained before the designation.

I commend you for your rapid deployment of humanitarian responders and for the US contributions to the relief effort. The scale of the crisis continues to grow as more information becomes available and U.S. leadership will continue to be needed for some time to come. With the scale of the devastation, the U.S. will need to play a significant role in helping Nepal recover as the immediate crisis recedes. Granting TPS to Nepal will be a small but very important gesture of compassion and concern for the suffering of Nepal in its time of greatest need.

Thank you for your consideration. I look forward to your prompt reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Cardin". The signature is fluid and cursive, with the first name "Ben" and last name "Cardin" clearly distinguishable.

Benjamin L. Cardin  
Ranking Member  
Senate Foreign Relations Committee