Run for your Life: TPS for Venezuela

By Jonathan T. Helton

***Resolved:* *The United States federal government should substantially reduce its restrictions on legal immigration to the United States.***

Summary: This case gives Temporary Protected Status to Venezuelan immigrants. The country is facing massive economic, political, and social crises. Large numbers of refugees are leaving the country. Some are spilling into and overwhelming neighboring Latin American nations, others fleeing to the United States. But Pres. Trump is deporting Venezuelans from the U.S. Sending them back to their country condemns them to starvation and oppression. Leaving them as refugees in neighboring countries exposes them to crime and trafficking. Keeping them here allows them to flourish and reduces the harms.

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DEFINITIONS & BACKGROUND

S.3759 text

Print out a copy of the bill from this site: https://www.congress.gov/115/bills/s3759/BILLS-115s3759is.pdf

TPS qualifications

US Citizenship and Immigration Services 2019 (part of the United States Department of Homeland Security (DHS).) Page last updated 8 March 2019 “Temporary Protected Status” <https://www.uscis.gov/humanitarian/temporary-protected-status>

The Secretary may designate a country for TPS due to the following temporary conditions in the country:

* Ongoing armed conflict (such as civil war)
* An environmental disaster (such as earthquake or hurricane), or an epidemic
* Other extraordinary and temporary conditions

TPS benefits

US Citizenship and Immigration Services 2019 (part of the United States Department of Homeland Security (DHS).) Page last updated 8 March 2019 “Temporary Protected Status” <https://www.uscis.gov/humanitarian/temporary-protected-status>

During a designated period, individuals who are TPS beneficiaries or who are found preliminarily eligible for TPS upon initial review of their cases (*prima facie* eligible):  
- Are not removable from the United States  
- Can obtain an employment authorization document (EAD)  
- May be granted travel authorization

TPS limitations

US Citizenship and Immigration Services 2019 (part of the United States Department of Homeland Security (DHS).) Page last updated 8 March 2019 “Temporary Protected Status” <https://www.uscis.gov/humanitarian/temporary-protected-status>

You may **NOT**be eligible for TPS or to maintain your existing TPS if you:

* Have been convicted of any felony or two or more misdemeanors committed in the United States;
* Are found inadmissible as an immigrant under applicable grounds in INA section 212(a), including non-waivable criminal and security-related grounds;
* Are subject to any of the mandatory bars to asylum. These include, but are not limited to, participating in the persecution of another individual or engaging in or inciting terrorist activity;
* Fail to meet the continuous physical presence and continuous residence in the United States requirements;
* Fail to meet initial or late initial TPS registration requirements; or
* If granted TPS, you fail to re-register for TPS, as required, without good cause.

Other TPS regulations: 12-18 months; documented or undocumented

Yari Gutierrez 2018 (At the time, she was an intern at the Bipartisan Policy Center) 21 December 2018 “Temporary Protected Status (TPS): An Explainer” <https://bipartisanpolicy.org/blog/temporary-protected-status-tps-an-explainer/>

Temporary Protected Status, or [TPS](https://www.uscis.gov/i-9-central/complete-correct-form-i-9/complete-section-1-employee-information-and-attestation/temporary-protected-status), is a designation by the Homeland Security Secretary that a country receives if conditions in the country are deemed dangerous enough that an individual from that country, currently residing in the United States, would not be able to return safely, or if the country is unable to handle the return of its nationals from the United States. This can include situations such as national disasters, disease outbreaks, or civil unrest. TPS designations can last for six, 12, or 18 months and must be re-evaluated to determine whether they should be extended or terminated by the Homeland Security Secretary within six months before the expiration of the current designation. Individuals can apply for TPS status regardless of whether they are documented or undocumented at the time of the designation. They must register and pass background checks and are given work authorization during their status.

INHERENCY

230,000 Venezuelan non-citizen immigrants in US

Rafael Bernal 2019 (The Hill is a top US political website, read by the White House and more lawmakers than any other site -- vital for policy, politics and election campaigns.) 14 March 2019 “Florida lawmakers pitch bipartisan Venezuela amendment for Dream Act” <https://thehill.com/latino/434094-florida-lawmakers-pitch-bipartisan-venezuela-amendment-for-dream-act>

According to U.S. Census figures, in 2017 there were about 230,000 non-naturalized Venezuelans living in the United States.

Over 20,000 asylum requests from Venezuelans in first 9 months of 2018 alone. Over 27K in 2017

Manuel Madrid 2019 (writing fellow at The American Prospect.) 12 February 2019 “Trump Is Tough on Venezuela -- but Won’t Let Fleeing Venezuelans Into the U.S.” <https://prospect.org/article/trump-tough-on-venezuela-wont-let-fleeing-venezuelans-us>

For the third year in a row, Venezuelans are the largest group by nationality of asylum applicants in the country. U.S. Citizenship and Immigration Services received more than 20,100 petitions for asylum from Venezuelans from January through September of last year (the agency has yet to release data for the rest of 2018). The total number is on track to match and even surpass the 27,629 applications filed with agency in 2017 and is already almost four times greater than the 5,603 petitions made in 2015.

Lower number of refugees being admitted

Manuel Madrid 2019 (He is a writing fellow at The American Prospect.) 12 February 2019 “Trump Is Tough on Venezuela -- but Won’t Let Fleeing Venezuelans Into the U.S.” <https://prospect.org/article/trump-tough-on-venezuela-wont-let-fleeing-venezuelans-us>

At a time of deepening crisis for displaced people worldwide, including Venezuelans, the Trump administration has brought refugee admissions to historic lows, from the 110,000 yearly limit set by the Obama administration in 2017, to 45,000 in 2018, and now 30,000 in 2019. Moreover, the actual number of refugees resettled is much lower than those ceilings. Under Trump, the U.S. has admitted the lowest number of refugees in the almost four-decade history of the resettlement program.

Massive denial rate—greater than China or Syria

Manuel Madrid 2019 (He is a writing fellow at The American Prospect.) 12 February 2019 “Trump Is Tough on Venezuela -- but Won’t Let Fleeing Venezuelans Into the U.S.” <https://prospect.org/article/trump-tough-on-venezuela-wont-let-fleeing-venezuelans-us>

Despite the crisis in Venezuela, immigration judges in the U.S. have denied roughly 50 percent of all asylum applications made by a Venezuelan over the past five fiscal years, according to TRAC. For comparison, asylum applications from Chinese and Syrian nationals had a denial rate of only about 19 percent and 14 percent, respectively.

Lots of Venezuelans don’t have green cards, but are afraid to go back to Venezuela

Franco Ordonez 2018 (White House correspondent for the McClatchy Washington Bureau) 24 April 2018 “Trump administration deports Venezuelans while pledging aid” <https://www.mcclatchydc.com/news/nation-world/world/article209726344.html>

“Unfortunately, a lot Venezuelans here don’t have green cards, are not U.S. citizens, don’t have any visas, but they still have fear to go back to Venezuela,” said Adriana Kostencki, a lawyer with the Venezuelan American National Bar Association in Miami, which is lobbying the administration to protect Venezuelans from being deported. “But it’s fighting against an administration that has not been very amicable on immigration.”

Venezuela tourist visas being revoked

Prof. Marco Aponte-Moreno 2018 (Asst Professor of Global Business at St Mary's College of California) 18 Oct 2018 “Trump sees opportunity in Venezuela’s humanitarian crisis as midterms approach” <https://theconversation.com/trump-sees-opportunity-in-venezuelas-humanitarian-crisis-as-midterms-approach-104047>

Immigration attorneys in Miami say the U.S. Consulate there has also been revoking tourist visas from Venezuelans, and the federal government has drastically reduced the number of non-immigrant visas issued to Venezuelans, from 239,772 in 2015 to 47,942 last year.

Venezuelan deportations continue despite terrible conditions

Catherine E. Shoichet 2019 (senior writer covering immigration for CNN Digital) 20 February 2019 “Trump is sending humanitarian aid to Venezuela. Venezuelans in the US say they need help, too” <https://www.cnn.com/2019/02/16/us/venezuelans-asylum/index.html>

US deportations to Venezuela are continuing "even as the country conditions are terrible right now," says John De la Vega, an immigration attorney in Miami. "There's no special treatment for Venezuelans. They're the same as everybody else."

Increased deportations--284

Prof. Marco Aponte-Moreno 2018 (Asst Professor of Global Business at St Mary's College of California) 18 Oct 2018 “Trump sees opportunity in Venezuela’s humanitarian crisis as midterms approach” <https://theconversation.com/trump-sees-opportunity-in-venezuelas-humanitarian-crisis-as-midterms-approach-104047>

Nearly 260 Venezuelans were deported from the U.S. in the first half of 2018 alone, up from 248 deportations in all 2017 and 182 in 2016.

ADVANTAGE 1 – Reduce Suffering in Venezuela

Economic collapse, chaos, inflation, famine, no medicine, blackouts, protesters killed

Kemil A. Saab 2018 (Articles Editor and J.D. Candidate at St. Thomas Univ School of Law.) May 2018 “Leaving “Home”: TPS for Venezuela?” <http://stthomaslawreview.org/2018/04/07/leaving-home-tps-for-venezuela/>

It is no secret that Venezuela is living in chaos and experiencing one of the worst crises in the world.  Since 2001, Venezuela’s socio-economic and political situation has declined, resulting in the world [highest inflation](http://www.businessinsider.com/countries-with-highest-inflation-rates-in-the-world-2017-10?r=UK&IR=T) of 254.9%.  The uncontrolled inflation has created a widespread famine and vital medicines shortage.  Venezuelans either cannot find food and medicines or cannot afford them.  The government has stopped subsidizing these indispensable products, and illogically, is strongly regulating and punishing national private producers, causing them to stop or reduce their production and personnel.  Additionally, the country has been experiencing a dramatic electrical blackout, which not only has affected the people’s everyday life but also the national economy as a whole. This has created social unrest and protests all over the country, which sadly has caused the deaths of hundreds due to the government’s aggressive attempts to suppress them.

Humanitarian crisis: Dying from lack of food and medicine

Prof. Marco Aponte-Moreno 2018 (Asst Professor of Global Business at St Mary's College of California) 18 Oct 2018 “Trump sees opportunity in Venezuela’s humanitarian crisis as midterms approach” <https://theconversation.com/trump-sees-opportunity-in-venezuelas-humanitarian-crisis-as-midterms-approach-104047>

Venezuela’s humanitarian crisis – which began in late 2014, when a drop in oil prices deprived the government of its primary income source – has worsened to previously unimaginable levels. People are now dying from shortages of food and medicine.

Deporting Venezuelans is like sending people back into a burning building

Catherine E. Shoichet 2019 (senior writer covering immigration for CNN Digital) 20 February 2019 “Trump is sending humanitarian aid to Venezuela. Venezuelans in the US say they need help, too” <https://www.cnn.com/2019/02/16/us/venezuelans-asylum/index.html>

Still, some lawmakers have taken note. Rep. Eliot Engel described the uptick in deportations at the opening of a [House Foreign Affairs Committee hearing on Venezuela this week](https://foreignaffairs.house.gov/hearings?ID=21359410-92C9-425D-97A1-94E7A9CF6EB5). "That's like sending people back into a burning building," he said.

Conditions bad in Venezuela: Gangs, violent crime, kidnapping, lack of health care

The International Rescue Committee 2019 (NGO responding to world humanitarian crises, in over 40 countries) 24 February 2019 “The IRC urges the US Administration to provide Temporary Protected Status designation to Venezuela” <https://www.rescue.org/press-release/irc-urges-us-administration-provide-temporary-protected-status-designation-venezuela>

The State Department recognizes the conditions that Venezuelans face each day, advising against travel to Venezuela due to “violent crime that is pervasive throughout”, poor health infrastructure, and high risk of kidnapping. They cite criminal gangs operating openly and with little repercussion. According to a CFR report, homicides in Caracas top 140 per 100,000 people, far outpacing rates in Baghdad and Kabul.

Thefts and assaults – Venezuela has one of the highest crime rates in the world

Gallup 2018 (The 2018 Global Law and Order report presents the results from Gallup’s latest measurements of people’s answers to these questions based on more than 148,000 interviews with adults in 142 countries and areas in 2017.) “2018 Global Law and Order” <https://www.insightcrime.org/wp-content/uploads/2018/06/Gallup_Global_Law_And_Order_Report_2018.pdf>

At the same time, more Venezuelans (42%) reported having had property or money stolen in the past year — topping the previous high of 38% set in 2016. In only three countries were residents considerably more likely than Venezuelans to say they had been the victims of theft in the past year: Afghanistan (46%), Uganda (49%) and South Sudan (50%). Nearly one in four residents in Venezuela (23%) said they had been assaulted — again one of the highest percentages throughout the world that year.

Only 17% say walking at night is safe in Venezuela

Gallup 2018 (The 2018 Global Law and Order report presents the results from Gallup’s latest measurements of people’s answers to these questions based on more than 148,000 interviews with adults in 142 countries and areas in 2017.) “2018 Global Law and Order” <https://www.insightcrime.org/wp-content/uploads/2018/06/Gallup_Global_Law_And_Order_Report_2018.pdf>

Just 17% of Venezuelans in 2017 said they feel safe walking alone in their area at night — only slightly higher than the 12% who said so in 2016. This essentially puts Venezuelans on equal footing — perception-wise — with residents of embattled Afghanistan, where 20% said they feel safe walking alone at night.

Catastrophic murder rate: over 16 times higher than U.S.

Zuzana Cepla 2019 (policy and advocacy associate for the National Immigration Forum) 8 March 2019 “Bill Summary: Venezuela Temporary Protected Status Act of 2019” <https://immigrationforum.org/article/bill-summary-venezuela-temporary-protected-status-act-of-2019/>

In 2017, the country’s homicide rate stood at 89 per 100,000 people which compares to 5.3 per 100,000 people in the United States.

Food shortages : people going hungry. Health Care system has collapsed, death & diseases increasing

Dan Restrepo 2018 (principal advisor to Pres. Obama on issues related to Latin America, the Caribbean, and Canada, special assistant to the president and senior director for Western Hemisphere affairs at the National Security.) 16 Oct 2018 “Venezuela in Crisis: A Way Forward” <https://www.americanprogress.org/issues/security/reports/2018/10/16/459352/venezuela-crisis-way-forward/>

As a result of a number of misguided policies, Venezuela’s agriculture sector has also imploded. Today, the country faces severe food shortages: The average Venezuelan lost an estimated 24 pounds in 2017. Empty store shelves have become the rule, and authorities are using access to food rations as a form of social and political control. The country’s health care system has collapsed to the point that previously eradicated diseases such as malaria and diphtheria have re-emerged, and infant and maternal mortality are on the rise.

Medical crisis in Venezuela

Shannon O'Neil 2018 (vice president, deputy director of studies, and Nelson and David Rockefeller senior fellow for Latin America Studies at the Council on Foreign Relations; expert on Latin America, U.S.-Mexico relations, global trade, corruption, democracy, and immigration.) 15 February 2018 “A Venezuelan Refugee Crisis” <https://www.cfr.org/report/venezuelan-refugee-crisis>

Access to basic health care has declined precipitously in Venezuela. One-fifth of the country’s medical personnel have fled the country in the past four years alone. Understaffed hospitals are also underequipped: over half lack enough beds for patients, three out of four are missing the basic drugs on the World Health Organization (WHO) list of essential medicines, and two out of five are without drinkable water.

Corruption endemic in Venezuela

Dan Restrepo 2018 (principal advisor to Pres. Obama on issues related to Latin America, the Caribbean, and Canada, special assistant to the president and senior director for Western Hemisphere affairs at the National Security.) 16 Oct 2018 “Venezuela in Crisis: A Way Forward” <https://www.americanprogress.org/issues/security/reports/2018/10/16/459352/venezuela-crisis-way-forward/>

Corruption is endemic, with Venezuela ranking 169th out of 180 countries assessed in Transparency International’s latest Corruption Perceptions Index.14 The extent of corruption and criminality is laid out in extensive detail in InSight Crime’s report, “Venezuela: A Mafia State?”15 Two examples of high-level corruption provide a sense of the scale of Venezuela’s problem. The former vice president under the Maduro regime, Tareck El Aissami, is alleged by the U.S. government to have amassed a fortune of almost $3 billion despite a career in the public sector.16 And former senior officials of Venezuela’s state-run oil company were recently implicated in a multibillion-dollar corruption scheme by authorities in Andorra.

Lives saved

Dany Bahar 2018 (David M. Rubenstein Fellow in the Global Economy and Development program at the Brookings Institution; Israeli and Venezuelan economist, associate at Harvard Center for International Development; research affiliate at CESifo Group Munich and IZA Institute of Labor Economics.) 19 June 2018 “Why accepting refugees is a win-win-win formula” <https://www.brookings.edu/blog/up-front/2018/06/19/refugees-are-a-win-win-win-formula-for-economic-development/>

It is a win for the refugees for obvious reasons: The earlier a state commits to protecting refugees, the earlier they can move forward with their lives, without uncertainty blocking the way. Most importantly, accepting them protects the most precious right of all: The right to live. Turning our backs to refugees in many cases could be fatal for them. Thus, accepting refugees—providing the most basic protection—is, in many cases, lifesaving.

ADVANTAGE 2. Refugees in Jeopardy

Caribbean territories deport any Venezuelans who arrive

Bram Ebus 2018 (journalist) 13 Nov 2018 “Venezuelan migrants live in shadows on Caribbean's sunshine islands” THE GUARDIA <https://www.theguardian.com/world/2018/nov/13/venezuelan-migrants-caribbean-islands>

Accurate statistics are hard to come by, but more than 100,000 Venezuelans have fled to the Caribbean islands. At least 40,000 have gone to [Trinidad and Tobago](https://www.theguardian.com/world/trinidad-and-tobago), some 28,500 are in the Dominican Republic and 16,000 have gone to Aruba. The numbers are a fraction of those seen in mainland South America – Colombia has received more than a million migrants – but few of the territories in the region have the infrastructure to cope with such an influx and most have responded to the crisis by simply deporting any Venezuelans they can.

Horrific abuse of Venezuelan refugees in Trinidad & Tobago

Alina Doodnath 2019 (journalist) “Horrific stories of abuse as refugees submit petition to gov't” LOOP TRINIDAD & TOBAGO 18 Jan 2019 <http://www.looptt.com/content/horrific-stories-abuse-refugees-submit-petition-govt>

One man who has his asylum seeker certificate along with his partner, said police broke down their door and detained them without explanation, simply saying there was an ‘investigation’. One woman who chose not to be identified said her father, who is diabetic, is being refused medication or even sufficient water while detained at the Immigration Detention Centre (IDC). Both her parents, who are ailing and elderly, were detained for the past five months. *“They told us we are less than dogs. I tried to send him things to keep his blood sugar up, and they said ‘no’. I don’t know how long they are going to hold them there, they will die if they stay here,”* she said. Another said that at least one child was being kept at the IDC with their parents, with no protections for them or assessment by Child Protection Services. The refugees said often, they are detained by authorities, then brought before a magistrate and made to pay a bond, some have paid as much as $10,000. They are not allowed to work and many cannot pay the bond. Even more horrific are claims that Venezuelan women and men have been raped at the IDC. A woman who was held there said she spoke to women who were raped. One of the women allegedly became pregnant.

No protections for Venezuelans fleeing within the region

WASHINGTON POST 2018. (journalist Anthony Faiola) 27 July 2018 “Riches to Rags” <https://www.washingtonpost.com/news/world/wp/2018/07/27/feature/as-venezuela-crumbles-its-fleeing-citizens-are-becoming-latin-americas-new-underclass/?utm_term=.9bf7dd21bd30>

The U.N. refu­gee agency has called on nations to offer protection to the Venezuelans, as they did for millions of Syrians fleeing civil war. But in a part of the world with massive gaps in protection for refugees, [Venezuelans fleeing starvation](https://www.washingtonpost.com/world/the_americas/venezuelas-economy-is-so-bad-parents-are-leaving-their-children-at-orphanages/2018/02/12/8021d180-0545-11e8-aa61-f3391373867e_story.html?utm_term=.3eeff500475d) at home are often trading one harrowing plight for another. Trinidad, for instance, has no asylum laws for refugees, leaving thousands of desperate Venezuelans here at risk of detention, deportation, police abuse and worse.

ADVANTAGE 3. Stability & Security

A/T “Escape to Columbia” – Columbia already struggling with the migrants

Megan Janetsky 2019 (Colombia-based journalist focusing on migration, human rights, and politics) 14 January 2019 “Here’s Why Colombia Opened Its Arms to Venezuelan Migrants—Until Now” <https://foreignpolicy.com/2019/01/14/heres-why-colombia-opened-its-arms-to-venezuelan-migrants-until-now/>

Staggering hyperinflation in Venezuela is predicted to hit [10 million percent in 2019](https://www.newsweek.com/venezuela-million-hyperinflation-losing-lives-everyday-1256630), cutting off access to basic food staples and medicine. The coinciding exodus is stretching Colombia’s resources to a near-breaking point as clashes against the migrants sprout up across the country. In the capital, Bogotá, protesters screamed at a recently opened refugee camp and claimed the Venezuelans would only bring crime and disease. Threats against migrants have begun to circulate across the country, [according to Colombia’s migration authority](http://www.migracioncolombia.gov.co/index.php/es/prensa/comunicados/comunicados-2018/mayo-2018/7382-migracion-colombia-rechaza-amenazas-contra-ciudadanos-venezolanos-que-se-encuentran-en-colombia). From [mob attacks](https://www.apnews.com/774e7fe070654c54a2b43e35dbcc0855) in the capital to a [stabbing of a Venezuelan prostitute](https://www.pulzo.com/nacion/trabajadoras-sexuales-colombia-venezuela-pelean-por-precios-PP280432) in a fight with Colombian sex workers, reports of attacks targeting Venezuelans have emerged.

Over 5 million Venezuelans have already or will flee soon. Neighboring countries are at their limits.

Provash Budden 2019. (Americas regional director for the global humanitarian and development organization Mercy Corps and currently resides in Bogota, Colombia) 28 Feb 2019 “It’s Time to Treat Venezuela Like a Protracted Refugee Crisis” <https://www.newsdeeply.com/refugees/community/2019/02/28/its-time-to-treat-venezuela-like-a-protracted-refugee-crisis>

Venezuela has already seen some [3 million](https://www.unhcr.org/news/press/2018/11/5be4192b4/number-refugees-migrants-venezuela-reaches-3-million.html) of its citizens flee amid the extreme political and economic turbulence of recent years. [Four out of every 10](https://www.americasquarterly.org/content/where-venezuelas-diaspora-0) people still in Venezuela want to leave. The United Nations estimates there will be a total of 5.3 million Venezuelan refugees and migrants by the end of this year, rivaling the scale of the Syrian refugee crisis and stretching the capacity of Venezuela’s neighbors to their limits. The government of Colombia [predicts](https://www.reuters.com/article/us-venezuela-migration-colombia/four-million-venezuelans-may-live-in-colombia-by-2021-minister-idUSKCN1MC2NZ) that by 2021 it may host 4 million Venezuelans, and it would take $9 billion to support them.

Venezuela is a threat to regional stability. Key US allies could be dragged down if it collapses

Lesley Wroughton 2018 (journalist for Reuters based in Washington) 30 October 2018 “Venezuela a Threat to Regional Stability, Security: Senior U.S. Official” <https://www.usnews.com/news/world/articles/2018-10-30/venezuela-a-threat-to-regional-stability-security-us-official>

Venezuela poses a clear threat to regional stability and its economic collapse could drag down key U.S. allies in Latin America such as Brazil, Argentina and Colombia, a senior Treasury Department official warned on Tuesday.  
**[END QUOTE. She goes on later in the article to say QUOTE:]**   
"Venezuela poses a clear threat to regional stability and security on top of the horrific humanitarian crisis that is unfolding before our very eyes," Billingslea told the Washington-based American Enterprise Institute in Washington.

National Security benefit

Letter to the Department of Homeland Security and the Secretary of State, signed by 219 organizations 2019 (national, state, and local organizations in the areas of immigration, civil rights, human rights, labor, faith, and education) 13 March 2019 “RE: REQUEST TO DESIGNATE VENEZUELA FOR TEMPORARY PROTECTED STATUS” <https://cliniclegal.org/sites/default/files/advocacy/2019-02-19-Letter-to-Administration-Supporting-TPS-for-Venezuela-Organizational.pdf>

TPS has strict criminal background criteria, disqualifying applicants based on felony and misdemeanor convictions. Moreover, under TPS, applicants must register with the government, provide their biometric information and submit themselves to a criminal background and national security check. TPS for Venezuela would not only be an appropriate use of the authority granted by Congress, but a critical tool to meet the goals of your administration to enhance our nation’s security and safety. Finally, designating TPS for Venezuela satisfies our country’s deeply held moral values that underlie the law itself: we do not turn our backs on those in need and we do not return people to countries where their lives or freedom would be at risk.

A/T “Can’t fix the problem” – True but we can mitigate it. Humanitarian, security and economic benefits justify TPS

Shannon O'Neil 2018 (vice president, deputy director of studies, and Nelson and David Rockefeller senior fellow for Latin America Studies at the Council on Foreign Relations) 15 February 2018 “A Venezuelan Refugee Crisis” <https://www.cfr.org/report/venezuelan-refugee-crisis>

The United States should consider not only the potential damage and disruption caused to Venezuela’s neighbors by a refugee crisis but also the implications of the crisis for U.S. interests. The economic, national security, and health costs imposed on the United States by a potential disruption in Venezuelan oil production, an increase in drug trafficking, or an epidemic, respectively, would be substantial. The United States can do little to prevent Venezuela’s further downward spiral. However, it can and should take measures to mitigate the political, economic, and humanitarian consequences of a potential mass emigration.

MORE ADVANTAGES – Can be added to improve or modify the Plan

Accepting refugees would de-legitimize the regime, reduce their human resources, and improve the US economy

Matthew La Corte and Prof. Idean Salehyan 2019 (La Corte is the government affairs manager for immigration policy at the Niskanen Center; leads the immigration department’s legislative outreach efforts, focusing on DACA, work visas, and refugee resettlement. Salehyan - Professor at Univ. of North Texas & Niskanen adjunct fellow) 20 February 2019 “CONGRESS SHOULD PUSH PRESIDENT TRUMP TO HELP VENEZUELAN REFUGEES” <https://niskanencenter.org/blog/congress-should-push-president-trump-to-help-venezuelan-refugees/>

In a paper for the Niskanen Center, Idean Salehyan wrote that “arrivals from foreign adversaries, especially communist regimes during the Cold War, were often given priority as a way to embarrass rival governments for their poor human rights records and drain them of human resources.” Welcoming Venezuelans into the United States would do just that: expose the Maduro regime illegitimacy, while encouraging high-level defections from the regime, and usher in immigrants who can enrich our economy, to boot. The same CEA report cites a Wall Street Journal article that finds businesspeople, university professors, oil and agriculture industry professionals, doctors, and other health care professionals are leaving Venezuela en masse.

Migrants are entrepreneurs – they create new businesses and new jobs

Dany Bahar 2018 (David M. Rubenstein Fellow in the Global Economy and Development program at the Brookings Institution; Israeli and Venezuelan economist, associate at Harvard Center for International Development; research affiliate at CESifo Group Munich and IZA Institute of Labor Economics.) 19 June 2018 “Why accepting refugees is a win-win-win formula” <https://www.brookings.edu/blog/up-front/2018/06/19/refugees-are-a-win-win-win-formula-for-economic-development/>

Finally, we know that migrants engage in entrepreneurship at much higher rates than natives. In the U.S., for example, while migrants are 15 percent of the population, they represent 25 percent of entrepreneurs. If you think about it, this should not really come as a surprise. The act of migrating (and even fleeing to further away countries, in the case of refugees) is associated with risk-taking behavior. Thus, migrants are more likely to take risks also in the business sphere, such as creating a new venture. By creating new businesses, migrants also create new jobs for everyone. Small firms, in turn, are the engines of job growth. In the U.S., they create about 1.5 million jobs every year.

Economic rebuilding in the poor country and benefits the receiving country too

Dany Bahar 2018 (David M. Rubenstein Fellow in the Global Economy and Development program at the Brookings Institution; Israeli and Venezuelan economist, associate at Harvard Center for International Development; research affiliate at CESifo Group Munich and IZA Institute of Labor Economics.) 19 June 2018 “Why accepting refugees is a win-win-win formula” <https://www.brookings.edu/blog/up-front/2018/06/19/refugees-are-a-win-win-win-formula-for-economic-development/>

Receiving countries can benefit in more ways, too. Refugees could play a fundamental role in fostering international trade and investment. Since they know the business environment quite well, they can mediate between business people in both countries who are willing to invest in the local community and trade with local businesses. Therefore, these refugees can move the needle when it comes to integrating their communities in global markets in robust ways.

TPS/Venezuela would benefit the US economy. Past success: El Salvador, Haiti and Honduras

The International Rescue Committee 2019 (NGO responding to world humanitarian crises, in over 40 countries) 24 February 2019 “The IRC urges the US Administration to provide Temporary Protected Status designation to Venezuela” <https://www.rescue.org/press-release/irc-urges-us-administration-provide-temporary-protected-status-designation-venezuela>

Temporary Protected Status would enable Venezuelans in the U.S. to stay there until such time as they are able to return home safely. In addition to legal status, TPS also provides the right to work. IRC field offices across the United States have helped Central Americans receive TPS and know how integral their contributions are to communities and the economy. The Immigrant Legal Resource Center had estimated that Salvadoran, Haitian, and Honduran TPS holders contribute $4.5 billion in income to the gross domestic product annually, and their absence would result in a $6.9 billion reduction to Social Security and Medicare contributions over a decade.

Venezuelans are highly educated

Tim Henderson 2018 (covers demographics for Stateline. He has been a reporter at the Miami Herald, the Cincinnati Enquirer and The Journal News in NY) 2 October 2018 “Venezuelan Immigrants Get Trump Sympathy but Not Status” <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2018/10/02/venezuelan-immigrants-get-trump-sympathy-but-not-status>

Venezuelans are the most educated Latin American group in the United States — more than half of adults have college degrees, compared with fewer than 10 percent for those from Mexico and Central American countries, according to a Stateline analysis of American Community Survey data from the University of Minnesota.

Refugee admission is good for everyone

Dany Bahar 2018 (David M. Rubenstein Fellow in the Global Economy and Development program at the Brookings Institution; Israeli and Venezuelan economist, associate at Harvard Center for International Development; research affiliate at CESifo Group Munich and IZA Institute of Labor Economics.) 19 June 2018 “Why accepting refugees is a win-win-win formula” <https://www.brookings.edu/blog/up-front/2018/06/19/refugees-are-a-win-win-win-formula-for-economic-development/>

This World Refugees Day, I want to challenge what seems to be the conventional wisdom regarding refugees. Not only are refugees not a burden, rather they are welfare-enhancing assets. Indeed, accepting, protecting, and empowering refugees is a win-win-win formula: for the refugees themselves, for the country of destination, and for the country of origin.

SOLVENCY/ADVOCACY

TPS is the best way to protect Venezuelans – they should not be sent back

Human Rights Watch, quoting [Bill Frelick](https://www.hrw.org/about/people/bill-frelick), refugee rights director at the organization 2019 (Human Rights Watch is a nonprofit, nongovernmental human rights organization made up of roughly 400 staff members around the globe) 8 March 2019 “US: Offer Venezuelans in US Temporary Protection” <https://www.hrw.org/news/2019/03/08/us-offer-venezuelans-us-temporary-protection>

“Some Venezuelans will qualify for asylum based on a well-founded fear of being persecuted if returned,” Frelick said. “Temporary Protected Status is the best available way to offer protection for people who do not qualify as refugees or are not seeking asylum but who nevertheless should not be sent back to their country because of generally unsafe conditions there.”

24 Senators advocate

Associated Press 2019 “24 senators ask Trump to protect Venezuelans, give them TPS status” 7 March 2019 <https://www.nbcnews.com/news/latino/24-senators-ask-trump-protect-venezuelans-give-them-tps-status-n980751>

A group of 23 Democratic and one Republican senator asked President Donald Trump on Thursday to protect Venezuelan citizens currently in the United States from deportation, given the crisis rocking the South American country. The 24 senators, including Democratic leader Chuck Schumer, asked Trump to designate Venezuelans for Temporary Protected Status (TPS). Florida’s Marco Rubio was the only Republican in the group.

Senator Richard Durbin

U.S. Senate Committee on Foreign Affairs 2019 “AS VENEZUELA’S HUMANITARIAN SITUATION WORSENS, BIPARTISAN GROUP OF SENATORS INTRODUCE TPS LEGISLATION TO SUPPORT VENEZUELANS FLEEING MADURO REGIME” 28 February 2019 <https://www.foreign.senate.gov/press/ranking/release/as-venezuelas-humanitarian-situation-worsens-bipartisan-group-of-senators-introduce-tps-legislation-to-support-venezuelans-fleeing-maduro-regime->

“When I traveled to Venezuela last year, I found a country on the edge, facing overlapping economic, humanitarian, and political crises. The Venezuelan government under Maduro has taken a series of repressive and undemocratic actions that threaten its own people and have isolated it from the world,” Durbin said. “Venezuela is in the throes of a crisis, and if we are truly committed to helping the Venezuelan people, the very least we can do is ensure that Venezuelans in the United States are not forced to put their lives at risk by returning to such dangerous conditions. It is within our power to help keep innocent men, women, and children out of harm’s way by passing the Venezuela Temporary Protected Status Act of 2019.”

TPS for Venezuela fulfils moral obligation not to send people back to where lives or freedom are at risk

Letter to the Department of Homeland Security and the Secretary of State, signed by 219 organizations 2019 (national, state, and local organizations in the areas of immigration, civil rights, human rights, labor, faith, and education) 13 March 2019 “RE: REQUEST TO DESIGNATE VENEZUELA FOR TEMPORARY PROTECTED STATUS” <https://cliniclegal.org/sites/default/files/advocacy/2019-02-19-Letter-to-Administration-Supporting-TPS-for-Venezuela-Organizational.pdf>

TPS for Venezuela would not only be an appropriate use of the authority granted by Congress, but a critical tool to meet the goals of your administration to enhance our nation’s security and safety. Finally, designating TPS for Venezuela satisfies our country’s deeply held moral values that underlie the law itself: we do not turn our backs on those in need and we do not return people to countries where their lives or freedom would be at risk.

219 organizations

Letter to the Department of Homeland Security and the Secretary of State, signed by 219 organizations 2019 (national, state, and local organizations in the areas of immigration, civil rights, human rights, labor, faith, and education) 13 March 2019 “RE: REQUEST TO DESIGNATE VENEZUELA FOR TEMPORARY PROTECTED STATUS” <https://cliniclegal.org/sites/default/files/advocacy/2019-02-19-Letter-to-Administration-Supporting-TPS-for-Venezuela-Organizational.pdf>

The 219 undersigned national, state, and local organizations in the areas of immigration, civil rights, human rights, labor, faith, and education respectfully request that you designate Venezuela for Temporary Protected Status (TPS) under INA § 244. The extraordinary and temporary conditions in Venezuela, including ongoing civil unrest and devastating humanitarian crisis, prevent the safe return of Venezuelan nationals and satisfy the statutory criteria for TPS designation. Designating Venezuela for TPS would potentially safeguard the lives of 72,000 Venezuelan nationals and their families. 1 This request mirrors recently introduced, bipartisan, bicameral legislation that would direct Department of Homeland Security to issue a grant of TPS to Venezuela.2

Human Rights Watch

Human Rights Watch 2019 (Human Rights Watch is a nonprofit, nongovernmental human rights organization) 8 March 2019 “US: Offer Venezuelans in US Temporary Protection” <https://www.hrw.org/news/2019/03/08/us-offer-venezuelans-us-temporary-protection>

“The humanitarian crisis in Venezuela is a classic case of the need for blanket temporary protection,” said [Bill Frelick](https://www.hrw.org/about/people/bill-frelick), refugee rights director at Human Rights Watch. “This is not the time to be deporting Venezuelans.”

IRC

The International Rescue Committee 2019, quoting Bob Kitchen, Vice President of Emergency Programming at IRC 2019(NGO responding to world humanitarian crises, in over 40 countries) 24 February 2019 “The IRC urges the US Administration to provide Temporary Protected Status designation to Venezuela” <https://www.rescue.org/press-release/irc-urges-us-administration-provide-temporary-protected-status-designation-venezuela>

“The bipartisan TPS bills introduced in both the U.S. House and Senate to protect Venezuelans already in the United States are a promising recognition of the United States’ moral and humanitarian obligations. Colombia has set an enduring example of how a neighboring country can help ease a humanitarian crisis, and the US must now also show humanitarian leadership through a TPS designation for Venezuela.”

Center for American Progress

Dan Restrepo 2018 (principal advisor to Pres. Obama on issues related to Latin America, the Caribbean, and Canada, special assistant to the president and senior director for Western Hemisphere affairs at the National Security.) 16 Oct 2018 “Venezuela in Crisis: A Way Forward” <https://www.americanprogress.org/issues/security/reports/2018/10/16/459352/venezuela-crisis-way-forward/>

Provide Temporary Protected Status (TPS) to all Venezuelans currently in the United States. It is not enough to merely alter U.S. immigration enforcement priorities, especially when the level of state collapse and political turmoil in Venezuela easily satisfies the requirements for a TPS designation “that there exist extraordinary and temporary conditions in the foreign state that prevent aliens who are nationals of the state from returning to the state in safety.”

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