REQUEST FOR TEMPORARY PROTECTED STATUS (TPS) DESIGNATION FOR NEPAL

TO:
The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

The Honorable Kristi L. Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

The Honorable Marco Rubio
Secretary of State
U.S. Department of State
Washington, DC 20520

FROM:
Law Offices of Keshab Raj Seadie, P.C. and Keshab Raj Seadie, Esq.

On behalf of Nepali nationals residing in the United States

DATE: September 11, 2025

EXECUTIVE SUMMARY

We respectfully request that the Trump Administration immediately designate Nepal for Temporary Protected Status (TPS) under Section 244 of the Immigration and Nationality Act (INA) due to the extraordinary and unprecedented crisis currently engulfing the nation. Nepal is experiencing its worst civil unrest in decades, with dozens of people killed and hundreds injured in violent clashes between security forces and protesters, culminating in the collapse of the government, widespread looting, and the destruction by fire of government offices.

The ongoing violence and complete breakdown of governmental authority create extraordinary circumstances that prevent the safe return of Nepali nationals currently in the United States. TPS designation would provide temporary humanitarian relief for approximately 15,000-20,000 Nepali nationals in the U.S. who would face serious threats to their personal safety if forced to return during this crisis.

BACKGROUND: NEPAL'S UNPRECEDENTED CRISIS

Timeline of Current Emergency

September 4, 2025: The Nepali government banned most major social media platforms, including Facebook, WhatsApp, X, and YouTube, sparking immediate public outrage.

September 8, 2025: Massive protests erupted in Kathmandu and other cities, with thousands of young people taking to the streets. Police responded with live ammunition, tear gas, and water cannons, killing at least 19 people and injuring over 100.

September 9, 2025: Prime Minister K.P. Sharma Oli resigned amid escalating violence. Protesters set fire to parliament, the Supreme Court, government ministries, and politicians' homes. The country's main international airport shut down due to violence.

September 10, 2025: The Nepal Army deployed troops to Kathmandu "to control the situation for the security of Nepal and Nepalis", indicating a potential military intervention in civilian governance.

Scale of Violence and Humanitarian Crisis

At least 22 people have been confirmed killed. Hospitals across the country are treating hundreds of injured protesters, with dozens in critical condition from bullet wounds to the head and chest. The State Department currently advises U.S. citizens in Nepal to shelter in place and refrain from going outside except for emergencies.

Complete Breakdown of Civil Authority

The current crisis represents a complete breakdown of Nepal's civil authority. The Prime Minister and multiple cabinet ministers have resigned, the parliament building has been set on fire and occupied by protesters, and the Supreme Court building has been set on fire. Military troops have been deployed in the capital, and the main international airport is closed due to violence.

LEGAL BASIS FOR TPS DESIGNATION

Section 244(b)(1)(A) - Armed Conflict

Nepal meets the criteria for TPS designation based on ongoing armed conflict. Police and military forces in Nepal have used lethal force to suppress protests, killing at least 22 people and injuring over 300. Human Rights Watch documented that police received

"orders from above" to respond aggressively to protests, indicating systematic state violence against civilians. This constitutes armed conflict between state security forces and the civilian population. The conflict is ongoing and protests continue.

Section 244(b)(1)(B) - Extraordinary and Temporary Circumstances

The current situation in Nepal constitutes extraordinary and temporary circumstances that prevent the safe return of Nepali nationals. The resignation of the Prime Minister and dissolution of parliamentary authority have led to a situation in which there is currently no functioning government in Nepal.

CONDITIONS PREVENTING SAFE RETURN

Immediate Physical Danger

Graphic footage shows police shooting peaceful protesters, some in school uniforms, with some struck by bullets to the head. Officers deployed rubber bullets, tear gas, water cannons and batons when protesters broke through barriers. The indiscriminate use of lethal force creates immediate danger for any person in Nepal. With the Prime Minister's resignation and parliamentary dissolution, there is no functioning government capable of providing basic security or protection to returning nationals. The deployment of army troops indicates a potential shift toward military governance, creating further uncertainty about civilian protections. Essential services have broken down, with the healthcare system overwhelmed by civilian casualties of the police response to the protests. The social media ban and internet restrictions further limit access to emergency information.

HUMANITARIAN CONSIDERATIONS

Nepali Community in the United States

The Nepali diaspora in the United States consists of approximately 15,000-20,000 individuals, including:

- About 7,000 TPS Holders whose TPS expired on August 20, 2025
- Students on F-1 visas whose educational institutions may be closed
- Workers on temporary visas whose employment authorization may expire
- Asylum seekers whose cases are pending
- Individuals with expired status who cannot safely return

Notably, with youth unemployment at 20 percent, the government estimates more than 2,000 young people leave the country every day seeking work abroad. The forced return during this crisis of Nepali nationals would exacerbate Nepal's economic collapse and create further instability.

PRECEDENT FOR TPS DESIGNATION

Similar Situations

The Trump Administration, as well as previous administrations, have previously granted TPS for countries experiencing similar conditions. Nepal's current situation meets or exceeds the criteria applied in these designations. TPS designation for Nepal would be consistent with longstanding immigration policy and align with broader U.S. interests. It would prevent the forced return of Nepali nationals in the U.S. to life-threatening conditions and provide temporary relief for the Nepali community. It would additionally support stability and maintain American leadership in the region.

RECOMMENDED TPS DESIGNATION PARAMETERS

We request an initial 18-month designation with automatic work authorization, consistent with standard TPS practice. The beneficiaries would be Nepali nationals who were present in the United States as of September 8, 2025, which is the date large-scale violence began, regardless of current immigration status. We suggest a 180-day initial registration period with potential for late registration for extraordinary circumstances. Finally, due to the breakdown of Nepali governmental services, we request flexibility in documentation requirements, accepting alternative forms of nationality and presence evidence.

CONCLUSION

The situation in Nepal represents exactly the type of extraordinary circumstances that Congress intended TPS to address. With parliament burned, the government collapsed, and military troops deployed in the capital, Nepal is unable to safely receive returning nationals.

At least 22 people have been killed in just two days of violence, and UN officials fear the casualty count will rise. Security forces have received orders from above to use aggressive force against civilians and protestors, creating immediate danger for anyone in the country.

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Attachments:

- Supporting documentation of current conditions in Nepal
- News reports and international organization statements
- Casualty reports and hospital statements
- Evidence of governmental breakdown

The Trump Administration has an opportunity to provide humanitarian leadership while advancing regional stability. TPS designation for Nepal would:

1. Save lives by preventing forced return to a war-zone environment
2. Maintain U.S. leadership and demonstrate American commitment to human rights
3. Allow temporary safety for Nepali nationals while the country resolves the crisis and rebuilds

We respectfully urge immediate action to designate Nepal for TPS. Each day of delay exposes Nepali nationals to life-threatening conditions upon their return to a country experiencing massive civil unrest. The approximately 15,000-20,000 Nepali nationals in the United States deserve the protection that TPS was designed to provide. Their return to Nepal during this unprecedented crisis would not only endanger their lives but potentially exacerbate the humanitarian emergency.

We stand ready to provide any additional information or documentation needed to support this critical designation.

Respectfully submitted,

Keshab Raj Seadie, Esq.

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