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The U.S. Should Do More to Help Venezuelan Immigrants



By Sandra A. Grossman, Esq.

The U.S. needs a smarter approach to Venezuelan immigration. Since President Nicolas Maduro took power in a highly questionable election in 2013, inflation and crime have skyrocketed, leading to massive political and civil unrest. [More than 40 people died and several hundreds have been arrested](#) in anti-government protests. Venezuelan jails, where the protesters are sent, are widely recognized as [the worst](#) in the Western Hemisphere. Prisoners are kept in lengthy pre-trial detention and are denied access to counsel, adequate sustenance, and medical care. Many Venezuelans ([nearly half voted against Maduro in last year's presidential elections](#)) are courageously fighting for democracy. Yet, the U.S. continues to deport Venezuelans and the administration has yet to put forth any comprehensive plan for addressing an increasingly urgent political crisis. This policy is hurting not only Venezuelans fleeing persecution, but is contrary to our national values and economic interests.

Venezuela has strong connections to the United States. Venezuelan petroleum accounted for [nine percent of U.S. imports](#) in 2012. Venezuela is currently our [14th largest goods trading partner with \\$56 billion in total \(two ways\) goods trade during 2011](#). In 2011, an estimated [259,000](#) Venezuelans resided in the United States, with more than 41 percent living in Florida. Venezuelans visit the U.S. in droves; more than [550,000 Venezuelan tourists](#) entered in 2011. On average, Venezuelan immigrants are [better off and more educated than the general Hispanic population](#). Venezuelan immigration is good for the United States.

Despite the many ties between the U.S. and Venezuela, the political crisis and influx of Venezuelans has gotten surprisingly little attention in Washington. Senators [Nelson](#) (D) and [Rubio](#) (R), as well as Representatives [Ros-Lehtinen](#) (R) and [Garcia](#) (D), all from Florida, are making notable efforts to lobby for special immigrant status for Venezuelans. The [Senators](#) are also pushing the administration to issue visa restrictions for Venezuelan officials involved in human rights abuses — much as it did for Russian officials during the recent crisis in Ukraine. The Senate Foreign Relations Committee will soon hold hearings on Venezuela. The U.S. State Department condemns the Government's violent



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At the very least, the U.S. should halt deportations to Venezuela. Consider the case of “Juan Velasco,” a [Grossman Law, LLC](#) client who arrived in the U.S. illegally several years ago. Married to a U.S. citizen and father to two U.S. citizen children, the Department of Homeland Security (DHS) spent years trying to deport him. When he was previously sent back to Venezuela during the Chavez presidency in 2004, upon landing at the international airport in Caracas, he was identified as a “traitor” for participating in anti-government protests. The authorities jailed him for two months, denying access to counsel or judge. He was beaten and attacked, deprived of adequate food and medical care, and only released when his family paid a bribe to authorities. Last month, an immigration judge in Maryland finally granted withholding of removal, an alternative to asylum, recognizing that he would most likely suffer persecution in Venezuela. The protracted proceedings [cost U.S. taxpayers approximately \\$12,500](#), the DHS’ estimated costs for deporting one person. In 2013, [958](#) other such removal cases were completed involving Venezuelans. More are slated for this year. Our government would be better served by allocating resources elsewhere.

Better alternatives are available. The Obama administration has the authority to suspend deportation for individuals in removal proceedings. DHS employees may exercise prosecutorial discretion to administratively close certain cases. The agency can grant deferred action or stays of removal for individuals already ordered deported but not yet removed. Finally, DHS can temporarily “parole” or allow the physical entry of Venezuelans into the U.S., even if they are not otherwise legally admissible.

In the area of asylum, for those individuals most likely to have experienced past persecution or suffer future harm, the administration should ensure adequate treatment. According to the latest statistics from a USCIS stakeholders meeting I attended this month, 185 Venezuelan citizens affirmatively applied for asylum in March of 2014. Where possible, the U.S. asylum office should provide more training to their officers on Venezuela; thereby ensuring that applicants get fair consideration. These measures would help prevent further human rights abuses for Venezuelan families and individuals.

With the recent, unlawful jailing of opposition figure, [Leopoldo Lopez](#), and Maduro’s increasingly hostile stance, prospects for a peaceful solution in Venezuela are slim. Were the crisis to worsen, granting [Temporary Protected Status](#) or TPS to Venezuelans is a viable option. DHS may designate a country for TPS due to conditions such as ongoing-armed conflict. TPS is available to persons already in the U.S., who may then receive work and travel authorization. Current TPS countries include [El Salvador, Haiti, Somalia, Nicaragua, Sudan, South Sudan, Honduras and Syria](#). Venezuelans deserve similar treatment if conditions continue to deteriorate.

Many Venezuelans in the political opposition are denied due process and equal protection. Morally and economically, the U.S. would be well served by offering protection to these individuals who face harm and persecution if returned to Venezuela.

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