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November 4, 2010

President Barack Obama The White House 1600 Pennsylvania Avenue NW Washington, DC 20500

Honorable President Obama,

The undersigned are writing to respectfully request that you use your discretionary authority to immediately grant Temporary Protected Status (TPS) to all nationals of Mexico currently residing in the United States of America. As you know, when the U.S. Congress first passed TPS in September of 1990, they vested the President with the discretionary authority to grant this form of protection. Specifically TPS, a form of protection created in 1990, today empowers the Secretary of the Department of Homeland Security to designate a country for TPS when he or she determines that "there is an ongoing armed conflict within the state and, due to that conflict, return of nationals to that state would pose a serious threat to their personal safety."

Because of the greater and more widespread violence in recent years in Mexico due, in part, to the brutality resulting from the current Mexican administration's war against drug cartels and the subsequent instability created therein, there is an urgent need of temporary protections for Mexicans in the United States given the current dangers that await them back in Mexico. Whether visiting or repatriated, Mexicans identified as living, or having lived in the United States, are at high risk of becoming victims of violent crime, facing daily, critical threats to their /and their family's/ personal safety and security in a climate of terror and life-menacing conflict.

Violence in Mexico has increased significantly each year since 2004. In a 2010 study, the Mexico City Center for Economic Studies of the Private Sector concluded that insecurity in Mexico has surpassed 15% of the Gross Domestic Product deviating resources from productive activities to fight crime and criminal activities and to ensure public safety and security. Already, the lack of personal security and goods has generated an environment that is hostile to investment and commerce, which has a negative impact in capital formation, the competiveness of businesses and the generation of productive employment. Increasing poverty due to the lack of productive enterprises creates conditions for further criminality and illegal behavior. Everyday wider sectors of Mexican society are confronted with spreading and broadening hazards to personal security and public safety.

The current strategy of the Mexican government to combat crime and criminals has failed to stem violence and insecurity throughout the country. The Mexican government, its politicians, police, and judicial infrastructure are all under sustained assault and pressure by criminal gangs and drug cartels brandishing high-powered automatic military weapons and vicious attacks. Add to this the high levels of corruption within the government, its military and law enforcement branches; some current law enforcement officers work as a team with gangs to help "extortions, assassinations and assaults." The increasing violence threatens Mexico's very democracy as criminal gangs grip control of specific geographical areas, placing in peril democracy itself in Mexico. In a report of the US Joint Forces command, Mexico's President Felipe Calderon is quoted as saying that criminal gangs, activities and violence have pushed Mexico to "a gradual and growing disintegration of public and governmental institutions."

The facts are undeniable:

- 1. An estimated 28,000 homicides due to drug related violence have taken place since President Calderon took office. There has been an increase of about 20% in 2009 over the previous year and the drug violence related deaths in 2010 are reported to exceed any of previous years. The proportion attributable to drug related homicides is staggering: from 25.7% in 2007, to 36.79% in 2008 and to 42.7% in 2009.
- 2. Overall homicide rates have increased. In 2008, non-drug related deaths jumped from 8.2 per 100,000 inhabitants to 13.1 per 100,000.
- 3. While violence remains concentrated in a few states, other parts of the country have seen the significant spreading of violence in 2010. Levels of homicides have increased significantly in Chihuahua, Sinaloa, Tamaulipas, Nuevo Leon, Michoacán, Nayarit, Jalisco, Colima, Guerrero and the State of Mexico.

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- 4. Drug violence has affected more people broadly and publicly than in the past as high profile victims, family parties, and drug rehabilitation centers are targeted. Contrary to the position of the government of Mexico, that this violence is only directed against individuals involved in organized crime, homicides and violence is impacting wider sectors of society. "Bystanders have been killed in violent attacks in cities across the country, demonstrating the heightened risk of violence in public places."
- 5. Mexico holds first place worldwide in kidnappings with approximately 8000 reported each year. This despite the National Commission of Human Rights Commission of Mexico finding that more than 70% of kidnappings go unreported. Kidnapping has become a lucrative business in almost all of Mexico's large cities. In 2009, of 100 reported crimes, 76% were related to "express" kidnappings, i.e. quick cash in exchange for the release of an individual, and in the first quarter of 2010 this it was already at 72%. In addition, there are "virtual" kidnappings by phone that demand ransom for the release of a victim.
- 6. Armed street crime is a serious problem in all major cities, including resort cities. Criminal assaults have occurred on highways thought Mexico and even, while in heavy traffic or stopped in traffic. Robberies and assaults on passengers in taxis are frequent and violent in Mexico, with passengers subjected to beating, shooting and sexual assaults.
- 7. Extortion is widespread, even blocking major roads to large cities and to operate businesses throughout the country. Mexican drug cartels have diversified into running extortion and protection rackets expropriating profits from street vendors to car dealerships. Extortion is also practiced by police and law enforcement authorities. It is estimated that Mexicans returning to communities of origin during the Christmas holidays bring into Mexico about 3 billion dollars in spending and gifts while forcibly leaving 20 to 30 percent of this income in the hands of police, customs and other law enforcement officials.

Under these circumstances, Mexicans returning to Mexico are in imminent danger constantly. The U.S. government has the means to provide Mexicans in this country the protection they need.

Once again, we respectfully call on you to honor our country's historic role as a safe haven for people at risk and to exercise this authority in the benefit of Mexican nationals. We urge you to designate Mexico and Mexicans in the United States for Temporary Protected Status (TPS).

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Sincerely,

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