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May 16, 2017

The Honorable John Kelly  
Secretary of Homeland Security  
U.S. Department of Homeland Security  
3801 Nebraska Avenue, NW  
Washington, DC 20528

**Re: Extending Temporary Protected Status for Haitian Nationals**

Dear Secretary Kelly:

We write to urge you to exercise your authority under Section 244 of the Immigration and Nationality Act (8 U.S.C. § 1254a) to extend Temporary Protected Status (TPS) to Haitian nationals before the current grant expires on July 22, 2017. Under INA section 244(b)(3)(A), 8 U.S.C. § 1254a(b)(3)(A), you are required to make a determination about whether the conditions for continued TPS designation are met at least 60 days prior to the current expiration date. With that deadline quickly approaching, we request you find the criteria for TPS designation continues to be met.

As state elected officials, we have a special responsibility to ensure the safety and security of all residents. We write on the behalf of the approximately 4,300<sup>1</sup> Haitians in our region who are left in limbo and who want to remain legally in the United States while their home country continues to rebuild. The conditions that prompted the Department of Homeland Security (DHS) to extend TPS to Haitians after the 2010 earthquake have not been resolved and in many cases, have been exacerbated. Haitians with TPS cannot safely return home to a country in the midst of ongoing environmental and public health crises. Among other things, there are significant and continuing housing and food shortages in their home country. Simply put, Haiti does not have the infrastructure or resources to absorb or support the returning population.

In 2010, Haiti experienced the worst geological catastrophe in its modern history,<sup>2</sup> from which it has never fully recovered. The January 2010 earthquake took over 200,000 lives, and

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<sup>1</sup> "Economic Contributions by Salvadoran, Honduran, and Haitian TPS Holders: The Cost to Taxpayers, GDP, and Businesses of Ending TPS," Baran, Magaña-Salgado, and Wong, Immigrant Legal Resources Center, Policy Report, April 2017, [https://www.ilrc.org/sites/default/files/resources/2017-04-18\\_economic\\_contributions\\_by\\_salvadoran\\_honduran\\_and\\_haitian\\_tps\\_holders.pdf](https://www.ilrc.org/sites/default/files/resources/2017-04-18_economic_contributions_by_salvadoran_honduran_and_haitian_tps_holders.pdf).

<sup>2</sup> Overview of the 2010 Haiti Earthquake, DeRoches, Comerio, Eberhard, Mooney, and Rix, Earthquake Spectra, Volume 27, No. S1, pages S1–S21, October 2011 <https://escweb.wr.usgs.gov/share/mooney/142.pdf>.



1.5 million people were displaced as a result.<sup>3</sup> Overnight, almost ten percent of Haiti became homeless. Conditions only worsened a few months later, when one of the “largest cholera epidemics ever recorded” began.<sup>4</sup> The progress Haiti made towards rebuilding after the 2010 earthquake was derailed by Hurricane Matthew, which struck the island just seven months ago. Almost 50,000 people are still living in internally displaced person camps.<sup>5</sup> More than 1.5 million people are food insecure, a result of the hurricane’s extensive damage to crops, livestock, and fisheries and three recent years of severe drought.<sup>6</sup> Haiti’s medical system remains unable to adequately address the nation’s public health crises. The cholera epidemic continues to spread; six thousand new cases have occurred in the first few months of 2017 alone.<sup>7</sup> In addition, health care providers have seen an unprecedented rise in cases of microcephaly, a birth condition linked to the Zika virus, but hospitals are not equipped to test for or prevent Zika.<sup>8</sup>

The United States is home to over half a million Haitian immigrants, and their 339,000 U.S.-born children.<sup>9</sup> Nearly ten percent of our Haitian immigrants are covered by the TPS designation, which has enabled them to fully integrate into our communities, and enjoy economic opportunity through employment and business development, all the while continuing to pay taxes. Their successes here not only benefit our communities, but also help to support Haiti’s re-development through remittance and other investments sent back to their native country. TPS designation has helped these families, enhanced our communities, and improved stability in the region.

A decision not to extend the TPS designation would harm our communities and these individuals. It would tear families apart and send productive individuals back to a country currently unable to provide for their needs. In sum, we urge you to extend TPS for Haiti not only

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<sup>3</sup> “Extension of the Designation of Haiti for Temporary Protected Status,” U.S.C.I.S., Federal Register Volume 79, March 3, 2014, <https://www.federalregister.gov/documents/2014/03/03/2014-04593/extension-of-the-designation-of-haiti-for-temporary-protected-status>.

<sup>4</sup> Mortality Rates during Cholera Epidemic, Haiti, 2010-2011, Centers for Disease Control and Prevention, March 2016, [https://wwwnc.cdc.gov/eid/article/22/3/14-1970\\_article](https://wwwnc.cdc.gov/eid/article/22/3/14-1970_article).

<sup>5</sup> Displacement Tracking Matrix, From Camps to Communities, <http://www.iomhaitidatportal.info/dtm/index2.aspx>

<sup>6</sup> Haiti: Hurricane Matthew, Situation Report, March 2017, Food and Agriculture Organization of the United Nations, <http://www.fao.org/3/a-bs144e.pdf>

<sup>7</sup> Cholera Deaths in Haiti could Far Exceed Official Count, Rick Gladstone, New York Times, March 18, 2016 [https://www.nytimes.com/2016/03/19/world/americas/cholera-deaths-in-haiti-could-far-exceed-official-count.html?\\_r=0](https://www.nytimes.com/2016/03/19/world/americas/cholera-deaths-in-haiti-could-far-exceed-official-count.html?_r=0)

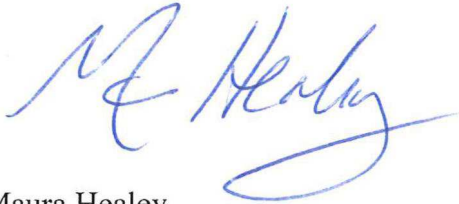
<sup>8</sup> “Why the Low Zika Numbers in Haiti Might Be Wrong,” Beaubien, Jason, *NPR*, September 7, 2016, <http://www.npr.org/sections/goatsandsoda/2016/09/07/492818984/why-the-low-zika-numbers-in-haiti-might-be-wrong>

<sup>9</sup> Haitian Immigrants in the United States, Migration Policy Institute, May 29, 2014, <http://www.migrationpolicy.org/article/haitian-immigrants-united-states>

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because the criteria for the designation are met, but because such a decision would further our nation's critical humanitarian efforts.

Very Truly Yours,



Maura Healey  
Massachusetts State Attorney General



Senator Linda Dorcea Fory  
Assistant Majority Whip  
Massachusetts State Senate