April 17, 2017

The Honorable John F. Kelly
Secretary, Department of Homeland Security
Washington, DC 20528

VIA EMAIL

RE: Extension of TPS Designation for Haitians

Dear Secretary Kelly,

We write to urge you to extend the designation of Haiti for Temporary Protected Status (TPS) for an additional 18 months. As you know, Haiti was initially designated for TPS after the 2010 earthquake and then redesignated for TPS in 2011; the most recent extension of this status is set to expire on July 22, 2017.¹

As Haitians cannot be safely returned to Haiti at this time, our nation has a moral responsibility to provide continued temporary protection. Haiti has yet to recover from the devastation left in the wake of Hurricane Matthew, which struck in October 2016 and is said to be the nation’s largest humanitarian emergency since the 2010 earthquake. The flooding and destruction caused by the hurricane has contributed to a significant increase in cholera and food shortages. Reports indicate that there was a 40% increase in cholera in the months following the disaster,² with 41,421 cholera cases and 447 cholera-related deaths reported in 2016.³ In addition, massive crop and livestock loss has impacted the harvest season and is expected to lead to continued food insecurity in 2017.⁴ Unfortunately, the devastation has also left many areas without the ability to provide basic health care to vulnerable individuals. The suffering and destruction that remains in Haiti was most recently illustrated by reports that 240 individuals who lost their homes and crops during the disaster have been forced to take shelter in a cave near the Jérémie area since the hurricane.⁵ It is with great sadness that we know of this dire situation in Haiti that is corroborated by our Catholic partners on the ground who are attempting to provide relief.

Given the current country conditions in Haiti, terminating TPS would be inhumane and untenable. We ask you to show compassion and patience during Haiti’s path to recovery. We are concerned

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⁴ OCHA, supra note 2.
about the Haitian people and believe that one element of ensuring stability is extending the designation of TPS for Haiti.

Haiti is in no position to accommodate the return of the estimated 58,000 Haitians who have received TPS from the United States. Doing so would undoubtedly destabilize the small nation and potentially bring harm to those returned. In addition, terminating TPS would needlessly create a large unauthorized Haitian population in the U.S., lead to family separation, and cause DHS to expend resources and detention bed space on individuals who are already registered with our government and whose safe return is forestalled by dire humanitarian conditions. Furthermore, not extending TPS would strain American communities that have significant Haitian populations.

Accordingly, we urge you to extend the TPS designation, pursuant to Section 244(b) of the Immigration and Nationality Act, until individuals’ return and reintegration can be safely accomplished. This will allow Haitians to continue to legally work, contribute to our communities in an authorized capacity, and live with dignity. In addition, it would help facilitate Haiti’s long-term reconstruction by refraining from returning 58,000 people to a fragile country and, instead, allowing those individuals to continue to send home remittances to help that country rebuild.

For these reasons, extending TPS is both a compassionate and reasonable action. We ask that you grant this extension as soon as possible. We appreciate your consideration of this request, as many of our Dioceses here in the United States have relationships of mission and pastoral care and outreach with many Dioceses in Haiti. Many of our Catholic people have a knowledge of the difficult situation in Haiti and a great care and commitment to outreach to them. The Catholic Church stands ready to support measures to protect the well-being and dignity of Haitian families during Haiti’s path to recovery.

Respectfully,

Most Rev. Joe Vasquez  
Chairman, Committee on Migration  
USCCB

Sr. Donna Markham, OP, PhD  
President & CEO  
Catholic Charities USA

cc: James McCament, Acting Director and Permanent Deputy Director of U.S. Citizenship and Immigration Services  
Lee Cissna, Presidential Nominee for Director of U.S. Citizenship and Immigration Services

Sean Callahan  
President and CEO  
Catholic Relief Services

Most Rev. Kevin Vann  
Chairman, Catholic Legal Immigration Network, Inc.

---

Kevin,
Hello. I hope you had a lovely Easter.

Please see the attached Catholic institutional partner letter from the U.S. Conference of Catholic Bishops, Catholic Relief Services, Catholic Charities USA and the Catholic Legal Immigration Network, requesting an extension of TPS for Haiti. We would appreciate opportunities to speak with you and your team about this as you evaluate the issue internally.

Please let me know if there is another way you recommend we get this letter to the Secretary.

Thank you for your collaboration and time.

Sincerely,
Ashley

Ashley Feasley
Director of Policy
USCCB/MRS
3211 4th Street NE
Washington DC, 20017
202 541 3260 (office)
941 504 0026 (cell)
afeasley@usccb.org
Secretary Kelly Statement on the Limited Extension of Haiti’s Designation for Temporary Protected Status

WASHINGTON—Secretary of Homeland Security John F. Kelly today announced his decision to extend—for an additional six months—the Temporary Protected Status (TPS) designation for Haiti. This extension is effective July 23, 2017 through January 22, 2018.

“After careful review of the current conditions in Haiti and conversations with the Haitian government, I have decided to extend the designation of Haiti for Temporary Protected Status for a limited period of six-months,” said Secretary Kelly. “Haiti has made progress across several fronts since the devastating earthquake in 2010, and I’m proud of the role the United States has played during this time in helping our Haitian friends. The Haitian economy continues to recover and grow, and 96 percent of people displaced by the earthquake and living in internally displaced person camps have left those camps. Even more encouraging is that over 98 percent of these camps have closed. Also indicative of Haiti’s success in recovering from the earthquake seven years ago is the Haitian government’s stated plans to rebuild the Haitian President’s residence at the National Palace in Port-au-Prince and the withdrawal of the United Nations Stabilization Mission in Haiti.”

Secretary Kelly was particularly encouraged by representations made to him directly by the Haitian government regarding their desire to welcome the safe repatriation of Haitian TPS recipients in the near future. “This six-month extension should allow Haitian TPS recipients living in the United States time to attain travel documents and make other necessary arrangements for their ultimate departure from the United States, and should also provide the Haitian government with the time it needs to prepare for the future repatriation of all current TPS recipients. We plan to continue to work closely with the Haitian government, including assisting the government in proactively providing travel documents for its citizens.”

Prior to the expiration of this limited six-month period, Secretary Kelly will re-evaluate the designation for Haiti and decide anew whether extension, re-designation, or termination is warranted. The Department of Homeland Security urges Haitian TPS recipients who do not have another immigration status to use the time before Jan. 22, 2018 to prepare for and arrange their departure from the United States—including proactively seeking travel documentation—or to apply for other immigration benefits for which they may be eligible. “I believe there are indications that Haiti – if its recovery from the 2010 earthquake continues at pace - may not warrant further TPS extension past January 2018. TPS as enacted in law is inherently temporary in nature, and beneficiaries should plan accordingly that this status may finally end after the extension announced today.”

Further details about this extension of TPS for Haiti, including the application requirements and procedures, will appear in a Federal Register notice later this week.

- ### -
Good evening

Thank you for the very productive call Friday with you, [redacted] and your team. As promised, but belatedly, attached is a copy of the email correspondence between our teams.

Per our conversation, I’ve advised the Secretary’s office of our call. And that a recommendation may be coming from Secretary Tillerson per our discussion. In addition, the USCIS team looks forward to the follow-up call this Friday. I’ve added in our schedulers to work out the best time. As mentioned, I will be on the road but will have access.

Thank you Ken and look forward to Friday’s call,

James

<<FW: Haiti TPS>>

James W. McCament

Director (Acting) | Deputy Director

U.S. Citizenship and Immigration Services

Deputy Director’s Office

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This is the letter that I referenced earlier today.

Best,

From: Jill Marie Bussey [mailto:jbussey@cliniclegal.org]
Sent: Tuesday, December 05, 2017 4:57 PM
To: Munoz-Acevedo, Carlos; Rogers, Debra A; Turner, Ebony N
Subject: FW: 130+ Organizations Urge DHS & USCIS to issue TPS Federal Register Notices

Dear [Name]

I was sorry to hear you were not well last week and hope that you are on the mend. Below you will find the organizational letter submitted to the Acting Secretary and Director last evening. We look forward to engaging in the near future.

Many thanks,

Jill

Jill Marie Bussey
Director of Advocacy
Catholic Legal Immigration Network, Inc. (CLINIC)
8757 Georgia Avenue, Suite 850
Silver Spring, MD 20910
Office: 301-565-4844
Mobile: 240-353-5208
Twitter: @JillMBussey
www.cliniclegal.org

Interested in CLINIC's advocacy efforts?
Sign-up for our quarterly Advocacy Newsletter!
Dear Acting Secretary Duke and Director Cisna,

We the undersigned—133 faith-based, legal, non-profit, academic, and other organizations from across the country—respectfully and formally write to request that DHS and USCIS immediately publish the Federal Register Notices in connection with the recent TPS decisions for Nicaragua, Honduras, and Haiti.

These delays are now totaling nearly a month for Nicaragua and Honduras and two weeks for Haiti. As described in the attached letter, we are gravely concerned with this failure to timely publish the Federal Register Notices as it is resulting in mass confusion in the field. These unprecedented delays leave highly vulnerable TPS holders in limbo, cause unnecessary confusion among employers and legal services providers, and create an environment where perpetrators of legal services fraud can thrive.

As always, we appreciate your time and attention and are at your disposal to answer any questions regarding the attached request.

Sincerely,

Jill Marie Bussey
Director of Advocacy
Catholic Legal Immigration Network, Inc. (CLINIC)
8757 Georgia Avenue, Suite 850
Silver Spring, MD 20910
Office: 301-565-4844
Mobile: 240-353-5208
Twitter: @JillMBussey
www.cliniclegal.org
Hi

For your visibility as the TPS Haiti decision is being finalized. I wanted to share the below data our folks put together regarding the history and background of the most recent TPS terminations. In addition, below is an overview of the messaging previously distributed regarding termination of the West Africa designations which takes effect on May 21st. Happy to answer further questions/follow-up.

Also, as noted in my summary last Friday of our call with State, we will be holding a second/follow-up this Friday. Hopefully we will hear further on the status of any potential recommendation from Secretary Tillerson to our Secretary.

Thanks!

James

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(Deputy Director’s Office)

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James,

After our call with State on Friday, in addition to the e-mail outreach history that already sent you, you requested (1) an accounting of past periods for orderly transition associated with TPS terminations and (2) the messaging associated with terminating the West Africa designations that we recently shared with State. Providing both here. Best,
Orderly Transition Periods Post-Termination
Providing these for the five most recent terminations, including the upcoming West Africa TPS terminations. Also including info on the basis of each designation, it’s length, and the number of beneficiaries, which could play some role in shaping the decision about how long a period to provide for orderly transition. Let us know if you would like us to dig back further for more distant terminations.

Guinea, Liberia, Sierra Leone
Reason for Designation: Extraordinary and Temporary Conditions
Length of Designation: 2.5 years (11/21/2014 – 05/21/2017)
Length of Transition Period: 6 months (no re-registration required)
Number of Beneficiaries at Termination: 4,577 (Guinea - 1,009; Liberia - 2,313; Sierra Leone - 1,255)

Burundi
Reason for Designation: Ongoing Armed Conflict/Extraordinary and Temporary Conditions
Length of Designation: Approx. 11 ½ years (11/4/1997 – 05/02/2009)
Length of Transition Period: 18 months (re-registration required)
Number of Beneficiaries at Termination: 30

Liberia
Reason for Designation: Ongoing Armed Conflict/Extraordinary and Temporary Conditions
Length of Designation: 5 years (10/01/2002 – 10/01/2007)
Length of Transition Period: 12 months (re-registration required)
Number of Beneficiaries at Termination: 3,600

*Note: Although the TPS designation terminated in 2007 lasted 5 years, certain Liberians in the United States have been continually covered by TPS or DED since 1991. Liberia was first granted TPS in 1991. When that designation was terminated in 1999, Liberians were granted DED until Liberia was again designated for TPS in 2002. When the 2002 designation was terminated in 2007, Liberians who held TPS were granted DED, which continues through the present (will expire on 9/30/16 unless extended by the President).

Montserrat
Reason for Designation: Environmental Disaster/Extraordinary and Temporary Conditions
Length of Designation: Approx. 7 ½ years (8/28/1997 – 2/27/2005)
Length of Transition Period: 6 months (6-month auto-EAD extension; no re-registration required)
Number of Beneficiaries at Termination: 292

Sierra Leone
Reason for Designation: Ongoing Armed Conflict/Extraordinary and Temporary Conditions
Length of Transition Period: 6 months (6-month auto-EAD extension; no re-registration required)
Number of Beneficiaries at Termination: 2,700

Termination Notice/Comms
For the West African TPS countries terminating on May 21, in addition to the messaging associated with termination conducted last September (i.e., the FRN itself, posting on USCIS’ website, and CSPED-led stakeholder engagement), we sent out a reminder of termination on Wednesday, April 19, and added language to each country’s TPS landing page on the USCIS website. Pasting the termination reminder here, followed by the language for the Guinea landing page (Liberia and Sierra Leone’s were identical).

**USCIS Reminds Beneficiaries of Temporary Protected Status for Guinea, Liberia, and Sierra Leone of May 21 Termination**

USCIS is reminding the public that the designations of Temporary Protected Status (TPS) for Guinea, Liberia, and Sierra Leone terminate effective May 21, 2017.

To provide sufficient time for an orderly transition, the Department of Homeland Security gave beneficiaries under these three designations 8 months advance notice of the expiration by publishing 3 notices in the Federal Register on Sept. 22, 2016 (one for each country). These notices urged individuals who did not have another immigration status to use the time before the terminations became effective in May to prepare for and arrange their departure from the United States or to apply for other immigration benefits for which they may be eligible.

Although TPS benefits will no longer be in effect starting May 21, 2017, TPS beneficiaries will continue to hold any other immigration status that they have maintained or acquired while registered for TPS. Individuals with no other lawful immigration status on May 21, 2017, will no longer be protected from removal or eligible for employment authorization based on TPS.

TPS-related Employment Authorization Documents issued under the Guinea, Liberia, and Sierra Leone designations are only valid through May 20, 2017, and will not be renewed or extended.

After reviewing country conditions and consulting with the appropriate U.S. government agencies, former Secretary of Homeland Security Jeh Johnson determined that conditions in Guinea, Liberia, and Sierra Leone no longer support their designations for TPS. The widespread transmission of Ebola virus in the three countries that led to the designations has ended.

Additional information about TPS is available at uscis.gov/tps. For more information about USCIS, visit uscis.gov or follow us on Twitter (@uscis), YouTube (/uscis), Facebook(/uscis), and Instagram(/uscis).

Last Reviewed/Updated: 04/19/2017
Wanted to share this chain so you can see what the suggested TPs are.

Great improvements. I had just a few edits. I didn’t insert additional questions, but would flag that we could get these two other inquiries:

1) ...

2) ...

And while USAID programs and rebuilding initiatives fall under the State Department, can we get information from them to include to show how the US has been a part of Haiti’s rebuilding efforts? I think people need to be reminded that we’re active partners in their recovery.

All, I offer some fairly significant edits to the talking points in the attached. A couple of the points were correct under a termination scenario, but are not now still the case under an extension. I also inserted in the talking points some of the additional messaging that is included in the latest version of the news release and the FRN. Finally, in light of the discussion on this chain, I took a shot at an answer to the criminal/public benefits question that states the decision was based on the statutory conditions, but notes that one of those conditions includes that the Secretary may consider whether permitting Haitian nationals to remain in the United States is contrary to the national interest of the
United States.

Thanks.

From: [name]
Sent: Saturday, May 20, 2017 10:15 PM
To: [name]
Cc: Nuebel Kovarik, Kathy
Subject: RE: Approval and Input Needed: Draft Talking Points and Q&A for Haiti TPS Announcement Monday

Quick thoughts -- think this bit will need tweaking:

The rest looks essentially okay to me. Thanks,

From: [name]
Sent: Saturday, May 20, 2017 2:31:51 PM
To: [name]
Cc: Nuebel Kovarik, Kathy
Subject: RE: Approval and Input Needed: Draft Talking Points and Q&A for Haiti TPS Announcement Monday

(b)(6)
FYI.

(b)(6)

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: 
Sent: Tuesday, May 09, 2017 2:57:10 PM
To: McCament, James W
Cc: Nuebel Kovarik, Kathy
Subject: RE: DHS official: Crime data on Haitians won't be used for TPS decision

Thanks, James!

Can you please share the talking points you all worked on last night reflected in the politico/pro story? Thanks!!

From: McCament, James W
Sent: Tuesday, May 09, 2017 1:26 PM
To: 
Cc: 
Subject: RE: DHS official: Crime data on Haitians won't be used for TPS decision

Thanks very much. I'd not seen this story. Thanks for forwarding. Adding for visibility.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)
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From: (b)(6)
Sent: Tuesday, May 09, 2017 1:19:00 PM
To: McCamet, James
Cc: 

Subject: RE: DHS official: Crime data on Haitians won't be used for TPS decision

Thanks for the vis, all. OCOMM worked this last night with TPs to the DHS press secretary reflective in the PoliticoPro story. and James for awareness. for vis.

Chief, Office of Communications | U.S. Citizenship and Immigration Services
20 Massachusetts Ave. NW, Suite 3100 | Washington, DC 20529-2160
Office: | Cell:
Fax: | email:

Subject: AP Exclusive: US looks for evidence of crimes by Haitians


AP Exclusive: US looks for evidence of crimes by Haitians

By ALICIA A. CALDWELL

WASHINGTON (AP) — The Trump administration is taking the unusual step of hunting for evidence of crimes committed by Haitian immigrants as it decides whether to allow them to continue participating in a humanitarian program that has shielded tens of thousands from deportation since an earthquake destroyed much of their country.

The inquiries into the community's criminal history were made in internal U.S. Citizenship and Immigration Services emails obtained by The Associated Press. They show the agency's newly appointed policy chief also wanted to know how many of the roughly 50,000 Haitians enrolled in the Temporary Protected Status program were taking advantage of public benefits, which they are not eligible to receive.

The emails don’t make clear if Haitian misdeeds will be used to determine whether they can remain in the United States. The program is intended to help people from places beset by war or disasters and, normally, the decision to extend it depends on whether conditions in the immigrants' home country have improved enough for
them to return. But emails suggest Homeland Security Secretary John Kelly, who will make the decision, is looking at other criteria.

“I do want to alert you ... the secretary is going to be sending a request to us to be more responsive,” Kathy Nuebel Kovarik, the USCIS head of policy and strategy, wrote on April 27. Addressing the inability of agency employees to gather the requested information about wrongdoing, she said: “I know some of it is not captured, but we’ll have to figure out a way to squeeze more data out of our systems.”

The request for criminal data for an entire community is unorthodox. The law doesn’t specify it should be a consideration for Temporary Protected Status and the government has never said it would use criminal rates in deciding if a country’s citizens should be allowed to stay under this program. Introducing new criteria is likely to cause consternation among law-abiding Haitians who may feel they are being penalized for the wrongdoing of their compatriots.

But the request fits in with President Donald Trump’s broader, tough-on-immigration focus that is a core demand of his political supporters. He has enhanced efforts to arrest people living illegally in the United States and sought, unsuccessfully so far, to suspend refugee arrivals and temporarily block visitors from seven Muslim-majority countries. He has accused those in the U.S. illegally of fueling criminality in the U.S.

It is unclear if the agency is asking such questions about other recipients of the temporary protection, including immigrants from Honduras and El Salvador. The Homeland Security Department said Kelly has not made a final decision about Temporary Protected Status for Haiti and declined to comment on the process. Temporary Protected Status is intended to be just that, temporary. The Obama administration included Haiti in the program shortly after the January 2010 earthquake that killed as many as 300,000 people and devastated schools, hospitals, homes and even entire neighborhoods. Since then, Haitians have been eligible to stay regardless of how they entered the United States — legally or illegally — as long as they were residing in the U.S. before Jan. 12, 2011.

Eligibility for Haitians has been extended several times and is set to expire July 22. The Trump administration must decide by May 23 so that it can provide 60 days’ notice about its plans.

USCIS’ acting director has recommended letting the program expire. In an April 10 memo first reported by USA Today, James McCament said Haiti is no longer in crisis despite its poverty and political instability. However, he wants to allow the Haitians to stay until January so they have time to make arrangements to voluntarily leave. If they don’t depart the U.S. by then, the government could move to deport them.
Still, Homeland Security’s Kelly has the final word. The emails inquiring about misdeeds were sent from April 7 to May 1. In her first week on the job, Kovarik, the policy chief, asked officials how often Haitians with temporary status have been convicted of “crimes of any kind,” and how many have taken advantage of public benefits. She asked for that information in four separate emails. She also asked how much money Haitians have sent home and how often they’ve traveled back to Haiti. Left unsaid is that frequent travel could suggest improved conditions.

“Please dig for any stories (successful or otherwise) that would show how things are in Haiti - i.e. rebuilding stories, work of nonprofits, how the U.S. is helping certain industries,” Kovarik wrote on April 28. “We should also find any reports of criminal activity by any individual with TPS. Even though it’s only a snapshot and not representative of the entire situation, we need more than ‘Haiti is really poor’ stories.”

The emails were largely directed to non-political employees. They responded by saying much of the data were not available or were difficult to find in government records systems.

Criminal fingerprint records, for instance, don’t generally indicate if a suspect has Temporary Protected Status. And the employees said the public benefits request was almost impossible to answer because TPS participants aren’t eligible for most. About the only firm information Kovarik’s queries turned up, according to the emails, is that Haiti benefited from about $1.3 billion in remittances from the United States in 2015. Officials said they could only guess how much came from the temporarily protected group, which comprise only a fraction of the estimated 954,000-strong Haitian diaspora in the United States.

Maria Odom, a former Citizenship and Immigration Services ombudsman who served during the Obama administration, said she was puzzled by the inquiries about criminal activities. She said the government already checks criminal histories of applicants and denies protections to those who’ve broken U.S. laws.

“You should not craft a humanitarian policy based on the few,” Odom said.

---

From: [Name]
Sent: Tuesday, May 09, 2017 1:12 PM
To: [Name]
Cc: [Name]
Subject: RE: DHS official: Crime data on Haitians won't be used for TPS decision

Hi

Thank you for sharing. Below you’ll see a link to the NY Daily News article on a similar topic.

TPS Program Manager
Service Center Operations
U.S. Citizenship and Immigration Services
Office:
Mobile:

From: [Redacted]
Sent: Tuesday, May 09, 2017 12:55 PM
To: [Redacted]
Cc: [Redacted]
Subject: FW: DHS official: Crime data on Haitians won't be used for TPS decision

FYI.

From: POLITICO Pro Employment and Immigration Whiteboard
Sent: Tuesday, May 09, 2017 12:43:03 PM
To: Powell, Paul
Subject: DHS official: Crime data on Haitians won't be used for TPS decision

By Ted Hesson

05/09/2017 12:34 PM EDT

Homeland Security Department spokesperson David Lapan today tamped down the idea that data on criminality could be used to decide whether to renew humanitarian protections for Haitians in the U.S.

Internal U.S. Citizenship and Immigration Services emails obtained by the Associated Press showed an official inquired into whether the agency could compile data on crimes committed by the roughly 50,000 Haitians living in the U.S. with Temporary Protected Status.

The official, USCIS policy chief Kathy Nuebel Kovarik, also asked if the agency could compile data that showed how many Haitians on TPS utilize public benefits, which they would not be eligible to receive under the program.

TPS allows people to temporarily remain in the U.S. after a natural disaster or ongoing armed conflict, but needs to be renewed periodically by the administration.

The status for Haiti is scheduled to expire in July, and DHS Secretary John Kelly has not yet
decided whether to renew it, according to Lapan.

“The secretary’s decision on TPS for Haiti will hinge upon the conditions in that country,” Lapan said today in response to a question about the data gathering. “Separate and distinct from that, the secretary has asked questions of his staff about how the program operates.”

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FYI. Thanks!

James W. McCament  
Acting Director  
Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Washington, DC 20529-2150

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Morning James,

I want to provide you with the latest draft of the TPS talking points as the issue may be raised at this morning's SLC. The talking points are not final yet, still working through the clearance process and should be finalized this morning. Could you please add these to the briefing book? Thanks!

Pasted below is our most recent talking points on TPS Haiti and attached is the redlined version for your reference. I am providing this concurrently to FO, OP&S and DHS OPA.

Be advised that OCC has not weighed in and, given the late hour, other SMEs may yet provide further edits. However, given the urgency of the media inquiries and the upcoming S1/AD1 discussion, I wanted to get these in front of you tonight.
Please let me know if you have any questions or concerns.

Thanks,

(b)(6)
Chief, Media Relations Division
U.S. Citizenship and Immigration Services

Please visit www.uscis.gov for news and information.

Talking Points

Temporary Protected Status for Haiti

May 10, 2017
Here’s another update on the ELIS EAD issue.

Good afternoon,

ELIS started ingesting Haiti TPS cases on June 9. ELIS has received 26,167 Haiti TPS/EAD cases and has approved 3,145 Haiti TPS EADs, which all failed to update CIS due to the “Invalid Card Issue Date” error.

In the ELIS EADS update file, the following three dates are required for EAD approvals:

1. Card Issue Date
2. Employment Authorization Start Date
3. Employment Authorization Expiration Date

ELIS is sending CIS the “Employment Authorization Start Date” for both 1 and 2 above. This is causing CIS to reject the updates because the “Employment Authorization Start Date” for approved Haiti TPS EADs is a future date.

ELIS also processes EAD applications for DACA and TPS Nicaragua cases. I confirmed with Patrick Lyden (ELIS), that in some cases, the ELIS EAD updates for these categories also include a future “Card Issue Date” so CIS is rejecting these as well. However, most do include a valid “Card Issue Date” and are successfully added to CIS.

The following chart summarizes ELIS EADS interface stats from June 9 – July 24. I compiled this summary using data from the daily CIS-generated ELIS EADS to CIS Interface Statistics Report.

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<tr>
<th>Total ELIS EADS Records Sent</th>
<th>Total Invalid A# - Out of Range Errors</th>
<th>Total Invalid DOB Errors</th>
<th>Total Invalid Card Issue Date Errors</th>
<th>Total DOB Mismatch Errors</th>
<th>Total Errors</th>
<th>Total Records Successfully Updated in CIS</th>
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<td>3,793</td>
<td>125</td>
<td>3,927</td>
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</tr>
</tbody>
</table>

As previously mentioned, 3,145 Haitian TPS EADs have been approved and the updates were
rejected by CIS because of the “Invalid Card Issue Date” error. An additional 648 EAD updates relating to DACA/TPS Nicaragua cases have also been rejected by CIS. Overall, 7.3% of ELIS EAD updates have been rejected by CIS – 6.1% relating to Haiti TPS and 1.2% relating to DACA/TPS Nicaragua.

reported ELIS will deploy the fix by the end of this week. After deployment, ELIS will begin data remediation and resend CIS all previously failed ELIS EAD updates so they can be successfully added to CIS.

(b)(6)

Let me know if you have any questions.

Thanks,

Records Information Systems Branch (RISB)
Records Division
Immigration Records and Identity Services Directorate (IRIS)
U.S. Citizenship and Immigration Services (USCIS)
1200 First Street, NE, MS 2200
Washington, DC 20529

(b)(6)

renee.schanning@uscis.dhs.gov

Tell Us What You Think

Telework: Every Wednesday, 1st Friday, and 2nd Monday of Pay Period
AWS Day Off: 2nd Friday of Pay Period

From:
Sent: Tuesday, July 25, 2017 11:41 AM
To:
Cc: 
Subject: RE: ELIS EADS to CIS Interface Issue for Haitian TPS Cases

(b)(6)

Certainly, [redacted] will provide the date and impact (volume) shortly – she mentioned that the Haitian TPS cases were the only issue identified.

Renee please confirm that all other EAD production is without concern.
Best,

(b)(6)

Division Chief, Records
Immigration Records and Identity Services Directorate, USCIS
Department of Homeland Security
Desk Records:
Cell:
Email:

Would you like to offer us feedback? Tell Us What You Think.

Please consider the environment before printing this email.

From:
Sent: Tuesday, July 25, 2017 11:35 AM
To:
Cc:
Subject: RE: ELIS EADS to CIS Interface Issue for Haitian TPS Cases

Thanks. When did this problem start occurring? Have we confirmed that this isn’t happening with DACA EADs?

From:
Sent: Tuesday, July 25, 2017 11:25 AM
To:
Cc:
Subject: FW: ELIS EADS to CIS Interface Issue for Haitian TPS Cases

Hello

Just a note - we are engaged with ELIS on an issue involving Haitian TPS cases. Is keeping an eye on the work to resolve the issue.

“An issue has been identified with the ELIS EADS to CIS interface for Haiti TPS cases. All ELIS EADS updates for Haitian TPS cases are being rejected by CIS due to an invalid “Card Issue Date” being sent to CIS in the update record. The CIS EADS Update Program performs edits against the “Card Issue Date” provided in the ELIS EADS update records. All ELIS EADS updates relating to Haitian TPS cases are failing this edit because a future “Card Issue Date” is being provided. The ELIS team is developing a fix to send the correct EAD “Card Issue Date” for Haitian TPS cases and plans to have the fix in Pre-Production testing on 7/27 or 7/28. If testing goes well, the fix will be deployed sometime next week but ELIS has not provided a tentative deployment date. After the fix is in production, ELIS will perform a data remediation and resend all failed TPS Haitian EAD update records through the update process so they can be successfully added to CIS.”

Best,
An issue has been identified with the ELIS EADS to CIS interface for Haiti TPS cases. All ELIS EADS updates for Haitian TPS cases are being rejected by CIS due to an invalid “Card Issue Date” being sent to CIS in the update record. The CIS EADS Update Program performs edits against the “Card Issue Date” provided in the ELIS EADS update records. All ELIS EADS updates relating to Haitian TPS cases are failing this edit because a future “Card Issue Date” is being provided. The ELIS team is developing a fix to send the correct EAD "Card Issue Date" for Haitian TPS cases and plans to have the fix in Pre-Production testing on 7/27 or 7/28. If testing goes well, the fix will be deployed sometime next week but ELIS has not provided a tentative deployment date. After the fix is in production, ELIS will perform a data remediation and resend all failed TPS Haitian EAD update records through the update process so they can be successfully added to CIS.

Let me know if you have any questions.

Thanks,

Records Information Systems Branch (RISB)
Records Division
Immigration Records and Identity Services Directorate (IRIS)
U.S. Citizenship and Immigration Services (USCIS)
1200 First Street, NE, MS 2200
Washington, DC 20529
(Desk)
(Cell)
Tell Us What You Think

Telework: Every Wednesday, 1st Friday, and 2nd Monday of Pay Period
AWS Day Off: 2nd Friday of Pay Period
I am clearing this, with edits, for the FO.
Thank you.

Chief of Staff (Acting)
U.S. Citizenship and Immigration Services
Department of Homeland Security

Attaching a few more revisions and comments. I will be reviewing this and may have additional comments/revisions.

All – Please note that the last sentence of the Press Release refers to “this renewal for TPS,” but it should say termination. The subheading for the Press Release also repeated Foreign Minister. I corrected these in the attached and included a few other minor edits, plus a recommendation for clarifying the next to last paragraph in the Press Release (see p. 6).

A few edits and comments from me in the attached. Including the whole group given how quickly this is moving today, and I’m not sure when you may be able to review.
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From: (b)(6)  
Sent: Wednesday, November 15, 2017 6:38 AM  
To:  
Cc:  
Subject: RE: For Clearance: TPS Haiti PAG

Hey – this may be too late, but one edit and one comment in the attached (pages 2 and 3) – word and pdf for phone viewing.

From: (b)(6)  
Sent: Tuesday, November 14, 2017 8:48 PM  
To:  
Cc:  
Subject: RE: For Clearance: TPS Haiti PAG

Hi Folks –

Attached is the updated PAG for your review/clearance. Understanding this is coming to you late this evening, I will wait a few hours for edits. Otherwise, DHS OPA requested I send the draft to them later this evening as an FYI since we have a TPS Sync call tomorrow morning with DHS and the WH to discuss the announcement.

Many thanks & please let me know if I can provide further information.

From: (b)(6)  
Sent: Tuesday, November 14, 2017 11:12 AM  
To:  
Cc:  
Subject: RE: For Clearance: TPS Haiti PAG

Hi all – please hold on reviewing. We will be working to add some language as discussed during the leadership meeting).

From: (b)(6)  
Sent: Monday, November 13, 2017 10:06 PM  
To:  
Cc:  
Subject: For Clearance: TPS Haiti PAG

FO Team –

Attached for your review/clearance is the draft TPS Haiti PAG. DHS OPA would like to review this document before the end of the week as they anticipate the Acting Secretary will make a decision a
couple days prior to Thanksgiving. Please let me know if you have any questions in the interim.

Many thanks,

Senior Advisor
Office of External Affairs
U.S. Citizenship and Immigration Services (USCIS)

(work mobile)
(personal mobile)

(b)(6)
FYI, asked that we add a line to the GDP chart to include 2016 growth since it’s included in the USCIS attachment within the package. I asked ESEC to work with USCIS on adding that line but wanted to let you guys know so that we can move this along. It’s the only edit left from She had one other, but I fixed it in the memo attached.

Let me know if you have any questions. Thanks for helping.

I’ve already made one edit (notice this is version 3). The only other thing that she requested was that we add a line to the chart on pg. 4 that shows 2016 GDP for Haiti. In the USCIS attachment, it indicates a GDP of 1.4 in 2016—can we confirm that number with USCIS and add to end up chart? Then she’ll be good to sign off.

Let me know if you have any questions or need any help.
Below is the notional timeline for the next round of TPS Haiti. I told Kathy she didn’t need to send it to anyone right now but that you would be using it to manage the Department’s expectation and that we can all use it if asked so we are consistent. Adding [redacted] for his awareness as well.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

From: Nuebel Kovarik, Kathy
Sent: Wednesday, June 07, 2017 4:27 PM
To: Renaud, Tracy L
Subject: RE: Haiti TPS

Here’s what we have. Let me know if you want me to send to anyone at DHS or James, or if you want us to elaborate.

- Current expiration date: January 22, 2018;
- S1 decision and FRN publication (at least 60 days before expiration): NLT November 23, 2017;
- Ideally, 2 month prior to S1 decision and FRN publication, D1-S1 package transmitted to HQ: September 22, 2017 (Sept. 23 is a Saturday);
- 2 weeks for USCIS Front Office review and clearance means our internally cleared package to USCIS Front Office by: September 8, 2017.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
US Citizenship and Immigration Services

From: Renaud, Tracy L
Sent: Wednesday, June 07, 2017 3:15 PM
To: Nuebel Kovarik, Kathy
Subject: Haiti TPS

Kathy –

When James and I were meeting this morning he asked me to check in with you on the target
timeline to deliver the next Haiti TPS decision package to DHS. Perhaps your team could provide a notional time-line so we can all help manage DHS’ expectations regarding when they will see the next decision package and how long they will have to make the determination (assuming they would want that decision to be effective on the Jan 22, 2018 current expiration date).

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

desk

(b)(6)
James provided a good update below, and we’ll be in listen mode on your call today when you’re in the car.

Can you please print this for James? Thanks.

Kathy,

Getting back to you on the inquiry regarding efforts by the Haitian government to provide travel documents for Haitian TPS beneficiaries and otherwise prepare for their return if TPS is not extended. State shared read outs of two meetings held last week (State WHA A/S Merten-Ambassador Altidor; Chargé-MFA Rodrigue). As you’ll see, it looks as though the Haitians have gotten the message, while expressing ongoing concern about their ability to adequately receive and reintegrate their nationals currently here under TPS, and are taking (or claiming to take) several proactive steps, including: (1) reaching out to Haitians here in the United States to apprise them of how to get their travel documents (through social media, targeted radio adverts, etc.) and (2) increasing GoH capacity and production to meet demands for passports, even investing in new equipment to increase output and reduce wait times.

Separately, wanted to let you know that we got word from our HQ colleagues that AD1 and James (Jim) Nealon (A/S for International Affairs) are working to set up a call with Ambassador Altidor for this week, as early as tomorrow, to reinforce State’s messaging. Our understanding is that HQ, working through Nealon’s scheduler, is taking the lead to set up the call.

If you’re interested, we’ve provided more detailed read outs of the State meetings below. We received the report on the Merten-Altidor meeting orally only. Our understanding is that the gist of that meeting was also communicated via an e-mail from Amb. Merten to AD1 that A/S Nealson was copied on (as well as [REDACTED]) so they should have it already.

BP/KA

**Read-Out: Merten-Altidor Meet**

Merten met with Altidor late Thursday and asked specifically about actions the government of Haiti was taking to assist Haitians here under TPS with their return. Altidor responded that Haiti has been taking action, and that they understand the need to accept nationals back at some point. He shared that the Haitian consulate in Miami pushed out info on social media on what the consulate could
and could not do to help Haitians get paperwork, and that this kind of proactive outreach was unusual. Altidor shared his understanding that the U.S. embassy got the same message from MFA Rodrigue in PaP.

(Separately, we understand AD1 asked Merten and crew if they had and could share the social media message, as he’d like to use it as a point of emphasis with the ambassador in their call.)

Here’s what we got on the Chargé-MFA Rodrigue meeting (which we got through inside channels but mirrors exactly what we rec’d directly from State today):

**Read-Out: Chargé-MFA Rodrigue**

When asked about the Government of Haiti’s efforts to provide adequate documentation for Haitians living in the U.S. on TPS status, MFA Rodrigue said the Ministry was working hard to meet anticipated demand. He said the wait time to receive a Haitian passport is dropping and their rate of production has increased. They have invested in new printers and other equipment to make sure that they can process more cases. If Haitians need to leave the U.S. because they no longer have TPS status, “they won’t have any problems getting a passport,” according to Rodrigue.

Rodrigue said the main challenge with providing documentation in advance of a TPS decision is that the Embassy of Haiti in Washington does not have an easy way to communicate with Haitians under TPS status. Rodrigue said they will look into targeted radio advertisements and other mass media options for raising awareness of the need for Haitians on TPS status to obtain necessary immigration documents.

He said the larger problem will not be moving people from the U.S. to Haiti but reintegrating them when they arrive. Rodrigue said many of those living in TPS status left Haiti after losing everything in the 2010 earthquake. These individuals will not have anything to return to in Haiti. He took pains to say the government is not searching for handouts from the U.S. but is hoping for more private investment in Haiti to provide jobs for returning Haitians. He also wanted to find ways to encourage entrepreneurship among returnees. He would like to see a strategy to ensure returning Haitians had water and electricity when they returned to Haiti, as they have grown used to these basic utilities during their time in the U.S.

Rodrigue also said the government of Haiti and Haitians in the U.S. are beginning to understand that TPS is, in fact, going to be ending soon. He believes this has encouraged Haitians on TPS status to make their own plans for coming back to Haiti.
Hi

Could you please print this for me double-sided? Thanks!

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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From
Sent: Friday, April 21, 2017 10:42 AM
To: McCament, James W
Subject: FW: Haiti TPS

This is most recent version I have in my email. I asked [REDACTED] for the cleared folder.

From:
Sent: Friday, April 07, 2017 5:45 PM
To: McCament, James W
Subject: Haiti TPS

Attached is the electronic version of the Haiti TPS Decision Memo.
All,

Forwarding the email we just sent to James to be shared with State that contains the February and March outreach on Haiti TPS. For awareness, we’ve also attached the full back and forth from February, which paints a more detailed picture of our full attempt to seek State’s position on Haiti TPS under Secretary Tillerson.

James, we forwarded you only the initial outreach e-mail for the February exchange because, in re-reading it, we were concerned that were the full exchange forwarded to State, it could negatively affect our good working relationship with State counterparts. (Some of the content of their messages in the exchange may paint them in a somewhat negative light with regard to their proactivity in seeking a refreshed secretarial recommendation.)

Deputy Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security
Desk Phone: 202.272.8401
Mobile: (b)(6)
E-mail: (b)(6)

Per your request, forwarding the initial February outreach to State for updated country conditions and confirmation of State’s recommendation/position under the new Administration. The subsequent March 22 request, sent pursuant to DHS Front Office direction, is also attached.

Assuming post-transition you’re still working on TPS issues, I wanted to touch base on Haiti TPS (if I
should be reaching out to someone else, let me know!). To refresh everyone’s memory, in mid-December, Secretary Kerry recommended that Secretary Johnson extend, but not redesignate, Haiti’s TPS (letter attached). USCIS made the same recommendation to Secretary Johnson, and the package was sent to him for consideration. He chose to leave the decision to the incoming Administration. So, we now need to refresh the package and resubmit it to Secretary Kelly. Given that you have a new Secretary also and with the passage of more time since Hurricane Matthew, are there any changes or updates to State’s recommendation or country conditions that you would like to make, or should we continue to rely on Secretary Kerry’s December 12, 2016 recommendation as State’s position? Happy to discuss over the phone too, if easier.

Thanks,

(b)(6)

Deputy Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security
Desk Phone: 
Mobile: 
E-mail: 
FYI...

James W. McCament  
Director (Acting) | Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
(Deputy Director's Office)

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From: McCament, James W  
Sent: Wednesday, May 17, 2017 8:12:47 PM  
To: (b)(6)  
Cc: Nuebel Kovarik, Kathy; (b)(6)  
Subject: Haiti TPS: Updated Background Information

Hi (b)(6)

Following up on our earlier conversations, by way of this email I am providing 5 sets of information (7 memos) in connection with the determination regarding Temporary Protected Status for Haiti (with apologies for the bulk):

1. TPS for Haiti Designation Memorandum Addendum: The attached memo is being provided to supplement my earlier TPS Haiti Recommendation Memo. In that memo, as you requested, the following points are addressed (and please let us know if we missed any points):
   a. Haiti GDP growth – longer-term trend. The memo addresses the information available for the year-over-year numbers/trends for the years preceding the earthquake to the present (or the most recent following the earthquake for which data is available);
   b. Clarification on visa demand being down by 30%
   c. Information regarding the UN's decision to conclude its peacekeeping mission in October 2017.
   d. Information regarding the status of, and motive for, reconstruction of
the Presidential Palace, and
analysis regarding the Government of Haiti’s post-earthquake recovery
and capacity.

2. Federal Register Notice (FRN): Attached is the draft FRN announcing the
extension. This language is an update to the draft FRN which was transmitted to
DHS last week.

3. Extension Process Mechanics:

Attached is a memo explaining the mechanical process for a six month extension of
the current designation. This analysis compares the process and impact of an
extension versus the proposed termination. We have also included in a separate
memo information regarding how the USCIS ELIS system will process these cases.
Below is a summary of the information. Just wanted to be sure that we had
provided full visibility regarding the operational aspects of a one-time six month
extension vs a termination.

A. Extension Process: If the Secretary determines an extension is best, there
are 2 options:

1) Option I: Auto Extension:
   a. Under this option, DHS would be silent regarding the decision itself
      and would issue a federal register notice only to auto-extend the
      employment authorization documents (EAD) of the Haiti TPS recipient.
      Under this scenario, the work authorizations and status simply remain
      valid for an additional 6 months.

   b. Normally, USCIS automatically extends the work authorization
document for the TPS holder through a Federal Register Notice. If not
auto-extended, they won’t have evidence of work authorization. If the
Secretary chooses not to automatically extend the EAD, as in the below scenario,
then the TPS holder may not be able to work while their registration
application is pending.

2). Option II: Require re-registration when issuing a 6 month extension:
   a). We anticipate 46,000 people would apply via mail for TPS renewal
      within 60 days after the FRN. 1 month after the TPS renewal goes into
effect, USCIS would start processing. The average processing time goal
is 90 days (although individual cases may take longer if additional review is
required). USCIS would process these through the ELIS system, which has
experienced technological problems for other immigration benefits. The
ELIS system has not been broadly tested for this type, so there is a
potential for unforeseen difficulties and/or delays.

   b). Procedurally, the applicants all have to go to an ASC, USCIS will
schedule an appointment to appear in person at one of our centers to take
biometrics. Background checks are conducted and any hits must be resolved.
To caution, USCIS could not collect additional/new data absent form changes which
require a notice/comment process.

   c). When the 6 month extension expires, based on the above factors, the
agency will have just finished
processing most of the applications. Some people may not get an approval before the six month extension expires. The effect may therefore be a significant additional burden on the process and adjudicators without sufficient time to effectuate approval and participation of the Haitian government to obtain new documents.

3). Option III: Termination:

If the Secretary chooses to terminate and provide a 6 month wind down, the TPS holder could have their status and work permits automatically extended until the termination. This termination would create little additional work for the agency, allowing more time to share data during the 6 months with the Haitians.

4. TPS Designation Chart: Attached is a user-friendly list of all TPS designations we have made in the last ten years, and how many have been terminated during the same period.

5. Finally, attached is a companion analysis to the Haiti country conditions that analyzes economic factors, humanitarian issues, healthcare, stability, etc., of Guinea, Liberia, and Sierra Leone.

Thanks please let us know if you need further information?

James

(b)(6)

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Hey Team RAIO & CSPED –

As you are likely already aware, the TPS Haiti announcement is moving tonight (see attached cleared PAG). DHS is asking who has the lead on notifying Haitian community leaders. If that something one of your offices is doing?

Thanks so much!

Referred to Department of Homeland Security
A group of Democratic senators sent a letter today to Homeland Security Secretary John Kelly urging him to renew a humanitarian relief program for Haitians in the U.S. — and to follow statutory guidelines when making his decision.

The lawmakers, led by Sen. Robert Menendez (D-N.J.), want Kelly to extend "temporary protected status" for an estimated 50,000 Haitians in the U.S.

The status, offered to nationals of a country following a natural disaster, armed conflict or other "extraordinary" event, was granted to Haiti in 2010, but expires in July.

In the letter, lawmakers expressed worry that Kelly might use data about criminality and receipt of public benefits to make his decision.

Menendez and four other Democratic senators stressed that a renewal of TPS should be based on the conditions in the country, not data about behavior in the U.S.

"Any other considerations are not congressionally authorized and would create a new barrier not found in law," they wrote.

To view online:
https://www.politico.pro/employment-immigration/whiteboard/2017/05/menendez-to-kelly-stick-to-statute-for-tps-renewal-087997

Was this Pro content helpful? Tell us what you think in one click.

Yes, very
Somewhat
Neutral
Not really
Not at all
From: Nuebel Kowarik, Kathy
To: McCarren, James W
Subject: FW: new TPS notice
Date: Friday, May 19, 2017 1:20:58 PM
Attachments: 51 Decision Page - Haiti.docx
USCIS_Haiti TPS_FRN_Extension_5182017 (CLEAN_FINAL).docx
image001.png

This is the latest that I have.

Referred to Department of Homeland Security
From: Nuebel Kovarik, Kathy  
Sent: Thursday, May 18, 2017 2:45 PM  
To: McCament, James W
Renaud, Tracy L

Subject: RE: new TPS notice

I sent it last night and then replaced again this morning with the stronger version. __________ was calling OCC to ask a few questions. __________ is on this email.

From:  
Sent: Thursday, May 18, 2017 2:42 PM  
To: Nuebel Kovarik, Kathy; McCament, James W; Renaud, Tracy L

Subject: RE: new TPS notice

They have it. I believe Kathy sent it up last night.  

Chief Counsel | Office of the Chief Counsel  
U.S. Citizenship and Immigration Services  
U.S. Department of Homeland Security  
Tel. ____________ Cell ____________

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Referred to Department of Homeland Security
From: Nuebel Kovarik, Kathy
Sent: Thursday, May 18, 2017 2:21 PM
To: McCament, James W

Subject: RE: new TPS notice

Question: are we now taking these FRNs to OMB for clearance or just FYI? I’m afraid we won’t get sign off in time if we have to wait for them.
Thank you, Kathy. From reading the edited version I think this reads well.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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From: Nuebel Kovarik, Kathy
Sent: Thursday, May 18, 2017 10:18:33 AM
To: McCament, James W;
Renaud, Tracy L
Subject: new TPS notice

Please see the updated FRN for Haiti TPS. This was changed this morning to incorporate new language encouraging Haitians to get their affairs in order. For ease of those who saw the last draft, I have highlighted the newest language. Please take a look as soon as you can. Many thanks.
Can you please print this for my book tomorrow? (To use for my Cities of Action meeting as needed). Thanks!

James W. McCament  
Director (Acting) | Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
(Deputy Director’s Office)

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The documents (press release and TPs) that I sent were all final, per DHS OPA. The attached (watermark removed) was the release that went out via OPA distro (the one you attached earlier).

Thanks!

Thanks! The DHS materials still have the draft watermarks. I believe the DHS release was tweaked a little before the final was issued (attached). I just want to make sure we have the final documents
given the considerable back and forth this morning. Can you confirm these are the final talking points/QA?

Thanks!

(b)(6)

From: 
Sent: Monday, May 22, 2017 2:47 PM
To: McCament, James W.
Cc: Renaud, Tracy L.
Subject: Putting everything on one chain - Haiti TPS

All: For your convenience, I have attached the final DHS Haiti TPS press release, talking points and press call readout. Please let me know if you have any questions. CSPE has the TPs for their stakeholder engagement use.

(b)(6)
USCIS ExecSec,

The Director concurs with this edited version. Please send to HQ.
Thank you.

Chief of Staff
U.S. Citizenship and Immigration Services
Department of Homeland Security

I've reviewed and concurred with the minor edits and added one of my own. Director, this is ready for your electronic review. OP&S is requesting your electronic approval by 4 pm or earlier today in order to submit today to DHS for S1's signature.

James W. McCament
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Deputy Director's Office)
Just a few minor revisions from [Redacted] and me. On to you for review.

From: [Redacted]  
Sent: Friday, December 01, 2017 12:05 PM  
To: [Redacted]  
Cc: [Redacted]  
Subject: FW: [Directors Office Clearance Request] TPS Haiti FRN  
Importance: High

I will take a look and review the folder then give it to [Redacted] when I am finished.

Senior Advisor | Office of the Director  

From: USCIS Exec Sec  
Sent: Friday, December 01, 2017 11:55 AM  
To: DDCLEAR  
Cc: Cisnca, Francis:  
Subject: [Directors Office Clearance Request] TPS Haiti FRN  
Importance: High

Good afternoon,

Please see the below and the attached for Director’s Office review and clearance. A folder will be delivered to the Directors Office shortly.

OP&S has submitted the Federal Register Notice (FRN), Termination of the Designation of Haiti for your consideration.

MGT (OIDP, OCFO, and OPQ), OP&S, RAIO, SCOPS, IRIS, and OCC cleared today 12/1/17.

OP&S has requested an expedited review to be completed by 4pm today, Friday, December 01, 2017

Thank you.

Respectfully,

Office of the Executive Secretariat  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
[Redacted]  

From: [Redacted]
Good morning EXSO,

For expedited FO approval, please find attached:

- The Federal Register Notice (FRN), Extension of the Designation of Haiti
- A51 Signed Decision Memo

**Summary**

On Monday, Nov. 20, Acting Secretary Duke announced her decision with respect to TPS designation for Haiti, which is set to terminate 1/22/18. The attached Federal Register Notice reflects the decision as well as provides details for renewing employment authorization documents for the country.

**Clearance:**

- MGT (OIDP, OCFO, and OPQ), OP&S, RAIO, SCOPS, IRIS, and OCC cleared by 12/1/17;
- Requires D1’s approval by 4pm 12/1/17 or soonest to submit the FRNs to DHS for S1’s signature.

We apologize for the short turnaround time but the FRNs need to publish in the Federal Register ASAP.

Please let me know if you have any questions.

Thank you,
From: McCament, James W
To: Francis Cisna
Subject: Ready For D1 Review: [Directors Office Clearance Request] TPS Haiti FRN
Date: Thursday, December 01, 2017 3:54:06 PM
Attachments: image001.png

Francis good with Haiti TPS. I'll forward to USCIS EXSO.

Chief of Staff
U.S. Citizenship and Immigration Services
Department of Homeland Security

From: Francis Cisna
Sent: Friday, December 01, 2017 4:50 PM
To: McCament, James W
Subject: RE: Ready For D1 Review: [Directors Office Clearance Request] TPS Haiti FRN

Looks ok to me.
From: McCament, James W
To: Nuebel Kovarik, Kathy
Subject: RE: TPS addendum

Thanks Kathy, and thanks to all 3 of you for the Sunday afternoon review/analysis. Please thank the team for pulling together the supporting information. Kathy, your summary and itemized list fits with my recollection of all of the points which wanted covered.

I’ve made just a few edits to the memo-mainly to conform it as an addendum to the original memo. Process-wise, I thought this would fit better given the memo from the Haitian Government as well as the data questions received. As well as that the original recommendation has not changed. However, if the desire is to integrate and update I think that can be done quickly.

Please take a quick look and we can discuss tomorrow (we’ll have to do so by phone as I’ll be at the NAC in the AM and staying for the TPS meeting in the afternoon). If you have any edits please advise and I’ll then plan to send to [redacted] as a draft with the materials. I’d anticipate that the Foreign Minister may provide additional information in tomorrow afternoon’s meeting. If so, we can reference the meeting, and any additional information, in the memo before finalizing and sending forward. As well if Secretary Tillerson should provide an updated recommendation.
Thanks again,

James

James W. McCament  
Director (Acting) | Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security

[Deputy Director’s Office]

(b)(6)

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From: Nuebel Kovarik, Kathy  
Sent: Sunday, May 14, 2017 4:54 PM  
To: McCament, James W

Subject: RE: TPS addendum

James – take a look at your convenience and we can discuss in our meeting tomorrow morning.

Thanks!

Kathy Nuebel Kovarik  
Chief, Office of Policy and Strategy  
U.S. Citizenship and Immigration Services

(b)(6)

From:  
Sent: Sunday, May 14, 2017 3:38 PM  
To: Nuebel Kovarik, Kathy; McCament, James W

Subject: RE: TPS addendum

It's probably too late anyway, but I have no further edits. I think the inclusion of the information about how USAID and IOM have been helping Haiti with absorbing those removed by ICE will be of interest to S1.

From:  
Sent: Monday, May 15, 2017 1:56:22 AM  
To: Nuebel Kovarik, Kathy; McCament, James W

Subject: RE: TPS addendum

(b)(6)
Please see my attached redline. I only had two small suggested changes.

Chief Counsel | Office of the Chief Counsel  
U.S. Citizenship and Immigration Services  
U.S. Department of Homeland Security  
Tel. | Cell | (b)(6)

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From: Nuebel Kovarik, Kathy  
Sent: Sunday, May 14, 2017 1:12:14 PM  
To: McCament, James W; | (b)(6)
Subject: TPS addendum

Hi. For TPS, we need to get our supplemental information to ___ as soon as possible. He originally asked for a revised decision memo, but James asked for an addendum to send up. I have made slight changes to the memo addendum that ___ have drafted, but think this is a decent document overall. Do you think it’s missing anything?

My notes suggest that this is what we were tasked to provide.

1. GDP growth – longer-term trend. 2% growth in 2015 is noted in the Decision Memo. In your report, you note it was 5.5% in 2011 and slowed to 2% in 2015 for various reasons. Can we get the year-over-year numbers/trends for some period of years preceding the earthquake to the present (or the most recent year following the earthquake for which GDP is tracked)?
2. Clarification on visa demand being down by 30%
3. Information regarding the UN’s decision to conclude its peacekeeping mission in October 2017. In particular, what served as the basis for the decision to end the mission? What will replace it and in what capacity will it serve?
4. Information regarding the status of reconstruction of the Presidential Palace, and what that suggests regarding the Government of Haiti’s post-earthquake recovery and capacity.

(b)(6)

Additional documents attached, for ___ per his request.

5. Can we get a user-friendly list of all TPS designations we have made in the last ten years, and how many have been terminated during the same period?
6. Can we get a companion analysis to the Haiti country conditions that analyzes economic
factors, humanitarian issues, healthcare, stability, etc., of Guinea, Liberia, and Sierra Leone? I’m pretty sure that those TPS designations were made under the same subsection of 244.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

Direct: [Redacted]
Cell: [Redacted]

(b)(6)
I tried to get answers to the “do we track? If not, can we?” questions but had little success getting this to you in a clean form by 3:00. I apologize for that. You can see from this chain that there are impediments.

Hello,

As of now, I have been unable to verify whether we can systematically pull electronic criminality data (IDENT Fingerprint records), by type of immigration benefit request, country of citizenship/country of birth or other biographical information besides an individual’s A-number or name and date of birth.

I know the fingerprint records are stored in an electronic system, but I believe it’s a person centric record only tied to the individual’s basic biographical information. In other words, I don’t believe the fingerprint records contain the other pieces of information we’re interested in (i.e. aliens with criminal records who also are TPS beneficiaries from Haiti). I’ve added information from SCOPS SFO to weigh-in on the possibilities of pulling this data. Based on what I know, pulling this data would likely involve multiple steps and data pulls from different CIS systems.

Additionally, on the adjudications side we have been checking to see if we can systematically pull data based on the reason for denial of the TPS application/withdrawal of TPS. Our electronic case processing systems do not indicate the specific reason for denial/withdrawal, but we are looking into whether we can pull this data from a relatively new electronic system the service centers use to generate case correspondence.

Thanks,

Kathryn,
Currently OPQ PAER does not have access to the system that may include criminal history so we are unable to speak to how it may be captured.

Sincerely

PAER Branch Chief
Office of Performance & Quality | U.S. Citizenship and Immigration Services
(b)(6)

From:  
Sent: Monday, April 10, 2017 1:49 PM  
To: Nuebel Kovarik, Kathy;  
Cc:  
Subject: RE: TPS data

Looks like that correctly sums up what we know currently. SCOPS or OPQ, is there anything we can say generally about the availability of any criminal history captured in our systems?

From: Nuebel Kovarik, Kathy  
Sent: Monday, April 10, 2017 1:29:52 PM  
To:  
Cc:  
Subject: RE: TPS data

Another question and quick turn-around request (for D1 before his 3:00 meeting). For each question asked, can we summarize for Mr. McCamen whether we track the data or whether we can track if asked by the Secretary. I started something in red, but could use some help.

- details on how many TPS holders are on public and private relief – information is not collected and to do so would require....
- any demographic data, including how many with TPS are school aged kids – we collect data on ages as well as the city/state for each TPS beneficiary.
- how many have been convicted of crimes of any kind (any criminal/detainer stats you can find)
- how often they travel back and forth to the island – CBP would have such data. We have data on how many receive advance parole.
- remittances data – we can obtain data generally on remittances by country, but it is not broken down by immigration status/classification
To: Nuebel Kovarik, Kathy

Subject: RE: TPS data

Hi

We updated column names and table headers to differentiate between information relating to petitioners versus beneficiaries. We believe the geographic information provided are for petitioners instead.

Please let me know if you have any questions.

Thanks,

From: 

Sent: Monday, April 10, 2017 9:52 AM

To: Nuebel Kovarik, Kathy

Cc: Rieffohl, Guillermo; Massey, Scott A

Subject: RE: TPS data

Thanks: as soon as you can would be great.

-----------------------------------------------------------

Senior Advisor
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: 

Sent: Monday, April 10, 2017 9:44 AM

To: Kathryn E; Nuebel Kovarik, Kathy

Cc: Rieffohl, Guillermo; Massey, Scott A

Subject: RE: TPS data

Hi
I don’t have any additional data to provide at the moment. Both SFO SCOPS and the SCOPS TPS portfolio managers are currently researching whether we can electronically pull data pertaining to TPS criminality.

What’s the deadline today for this data?

At the moment I’m not sure what if any data we’ll be able to provide regarding criminality for TPS Haiti, but we’ll do our best. Adding [redacted] from SCOPS.

Thanks,

(b)(6)
I need to accept and make more edits, but this is the latest.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

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Right – these need to go up today, but we need to tweak that part, or maybe take out DED altogether.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services
From: Nuebel Kovarik, Kathy  
Sent: Tuesday, October 10, 2017 8:52:25 AM  
To:  
Subject: FW: TPS decisions

These are the latest, but I need to redo them based on what LFC wants to send up..

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Direct:  
Cell:  

From: Nuebel Kovarik, Kathy  
Sent: Wednesday, October 04, 2017 4:53 PM  
To:  
Subject: FW: TPS decisions

These were sent up to James again with one edit. Now that his hearing is over, I expect him to send these up soonest.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Direct:  
Cell:  

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intended recipient, please notify the sender and delete or destroy all copies.

From: Nuebel Kovarik, Kathy
Sent: Wednesday, October 04, 2017 4:04 PM
To: McCament, James W
Subject: RE: TPS decisions

James – reattaching the TPS memos and one pager for you. These are updated with statistics about the number of aliens removed to these countries.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

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From: (Redacted)
Sent: Sunday, October 01, 2017 10:55 PM
To: Nuebel Kovarik, Kathy; McCament, James W
Cc: (Redacted)
Subject: RE: TPS decisions

Chief Counsel | Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

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From: Nuebel Kovarik, Kathy
Sent: Sunday, October 01, 2017 10:07:03 PM
To: McCament, James W
Cc: (Redacted)

(b)(5)
Subject: TPS decisions

James – I hope you’re feeling better and got some rest this weekend! I know you’re busy preparing for Tuesday’s hearing, but I wanted you to have this before you went to the NAC and potentially spoke with AS1. I have shown these decision memos to others, including [REDACTED] and a few DHS POLICY staff. There are a few placeholders for statistics (including the number of repatriations I’m seeking from ICE), and I noted that we have not yet received info from State.

I know this is a lot to read, so I also prepared a one pager in the event that you wanted to share or discuss this with AS1. [REDACTED] has not seen this document until now, however.

Please let me know if you have any questions. Talk to you tomorrow.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

Direct: [REDACTED]
Cell: [REDACTED]
From: McCamet, James W
To: Renaud, Tracy L
Subject: FW: TPS Materials
Date: Monday, May 22, 2017 11:33:31 AM
Attachments: image001.png

Sharing but sparing you from all of the many chains....

James W. McCamet
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Deputy Director's Office)

(b)(6)

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From: 
Sent: Monday, May 22, 2017 12:17 PM
To: McCamet, James W
Cc: Nuebel Kovarik, Kathy
Subject: RE: TPS Materials

Hold on this. One small edit in the PR.

(b)(6)
Does anyone have the press release that we can embargo and send to the hill now? I have at least a dozen staffers trying to dial into the Media Call (wholly inappropriate) but we need to get them something.

From: McCament, James W
Sent: Monday, May 22, 2017 11:33 AM
To:
Cc:

Subject: RE: TPS Materials

All, given that the DHS Press Call is at noon today, has the connection been made back to State so the Government of Haiti can be notified? If not, suggest that would now happen correct?

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: McCament, James W
Sent: Monday, May 22, 2017 9:47 AM
To:
Cc:

Subject: RE: TPS Materials

Thank you All, I'd suggest that give State the green light to reach out to Haiti if the Congressional calls are about to begin? any concerns with doing so?

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(Deputy Director's Office)

(b)(6)

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Reflected to Department of Homeland Security

From: McCament, James W
To:
Cc:

(b)(6)
Hi all, adding [redacted] to the email chain to be able to advise all once the FRN which OGC has provided is signed by S1.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(Deputy Director's Office)

From: McCament, James W

To: [redacted]

CC: Nuebel Kvarik, Kathy: [redacted]

Subject: RE: TPS Materials

Hi all,

Just want to circle back to confirm the current state of play for communications with the notice now ready for signature by S1?

From the quick recap and schedule, we have the DHS press backgrounder; Congressional Notification (by USCIS as I understand?) to occur ideally 60 minutes prior to the backgrounder; and, finally, notification to the President of Haiti by DOS once DHS/USCIS advises State Department to do so.

Just wanted to reconfirm the final steps, specific timing and see what further is needed from USCIS? Including if you need anything further regarding final communication materials which will be utilized?

Thanks again all, very glad we are very close to the finish line.

James
From: McCament, James W
Sent: Monday, May 22, 2017 9:09 AM
To: 
Cc: Nuebel Kovarik, Kathy;

Subject: RE: TPS Materials

All, also adding: Nuebel Kovarik, Kathy to the email chain. Thanks!

(b)(6)

From: McCament, James W
Sent: Monday, May 22, 2017 8:37 AM
To: 
Cc: Nuebel Kovarik, Kathy;

Subject: RE: TPS Materials

Thanks once the timing is finalized, I’ll ask that DOS notify concurrent with your
Congressional notification timing.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From:          
Sent: Monday, May 22, 2017 7:38 AM  
To: McCament, James W:          
Cc: Nuebel Kovarik, Kathy:       
Subject: RE: TPS Materials

We need at least 30 min before the media calls, and preferably 60 min. thanks, S

From: McCament, James W
Sent: Monday, May 22, 2017 7:31 AM
To:          
Cc: Kovarik, Kathy Nuebel
Subject: RE: TPS Materials

Thanks I think that's a good point regarding the materials. If then, the media call remains at 11 what time will Congressional notifications go forward? Ideally, suggest or I notify DOS and ask that the call to the Haitian President go at the same time as the Congressional notifications. (Not prior). If that makes sense. Thanks all.

James W. McCament
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From: McCament, James W
Sent: Monday, May 22, 2017 7:16:54 AM
To: 
Cc: Nuebel Kovarik, Kathy; 
Subject: RE: TPS Materials

Thanks In addition, if the call happens in the afternoon that also would allow for the notifications (Congressional and Government of Haiti) to happen immediately prior to the call. With an 11:00 that would crib that time further. If the backgrounder is moved to the afternoon, and once the FRN is signed, I will contact DOS (an hour or so) before the media call to allow for notification of GOH-hopefully concurrent to the Congressional notifications-if Ben & Susan can advise on that timing.
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Referred to Department of Homeland Security
For your information, CSPE has scheduled an external stakeholder conference call for May 31 to discuss the Haiti TPS decision. I provided [redacted] with the email addresses of the staffers from 18 Senate and 72 House Members who had expressed interest in the Haiti extension. [redacted] prepared a special directed invitation to those congressional offices to help ensure they know about the call and the USCIS efforts to discuss the extension decision with interested external parties.

Congressional Liaison Specialist
Office of Legislative Affairs
US Citizenship and Immigration Services

Visit "The Resources Guide for Congress" on the USCIS Website: http://www.uscis.gov/congressionalresources

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Good afternoon:

Our USCIS Office of Legislative Affairs notified me that you might be interested in receiving information on any scheduled calls regarding Temporary Protected Status (TPS) for Haiti. I am reaching out to share the invitation (below) to the upcoming USCIS stakeholder teleconference on **Wednesday, May 31, from 3-4 p.m. Eastern** to discuss the **six-month TPS Extension for Haiti**. This invitation was also distributed to the public a few minutes ago.

On May 22, 2017, Secretary of Homeland Security John F. Kelly announced that TPS for eligible nationals of Haiti would be extended for a limited period of six months, effective July 23, 2017, through Jan. 22, 2018. During the teleconference next week, USCIS officials will share information about the TPS re-registration period and procedures for eligible Haitian nationals and respond to questions.

You can register online to participate in the engagement. Please also feel free to share this information with others who may be interested.

Thank you,
From: U.S. Citizenship and Immigration Services [mailto:uscis@public.govdelivery.com]
Sent: Thursday, May 25, 2017 3:04 PM
Subject: USCIS Invitation: Temporary Protected Status Extension for Haiti, 5/31/2017

Dear Stakeholder,

U.S. Citizenship and Immigration Services (USCIS) invites you to participate in a stakeholder teleconference on **Wednesday, May 31, from 3-4 p.m. Eastern** to discuss the six-month Temporary Protected Status (TPS) extension for eligible nationals of Haiti (and those without nationality who last habitually resided in Haiti).


During this teleconference, USCIS officials will share information about the TPS re-registration period and procedures for eligible Haitian nationals and respond to your questions. We cannot provide case-specific assistance. You may visit our website for help finding legal services.

Additional information on TPS for Haiti— including guidance on eligibility, the application process, and where to file—is available online at www.uscis.gov/tps. Find further details on this extension of TPS for Haiti, including application requirements and procedures, in the Federal Register. For more information about USCIS and its programs, visit www.uscis.gov.

**To register:**

Visit our registration page
- Enter your email address and select “Submit”
- Select “Subscriber Preferences”
- Select the “Event Registration” tab
- Provide your full name and organization, if any
- Complete the questions and select “Submit”

Once we process your registration, you will receive a confirmation email with additional details.

If you have any questions or if you have not received a confirmation email within two business days, please email us at public.engagement@uscis.dhs.gov.

**Note to media:** This engagement is not for press purposes. Please contact the USCIS Press Office at 202-272-1200 for any media inquiries.

We look forward to engaging with you!
Please do not reply to this message. Contact us at Public.Engagement@uscis.dhs.gov with any questions.

To view a list of upcoming local and national engagements, please visit uscis.gov/outreach.

To update your RSVP, modify your email address, or to unsubscribe from our mailing list, please visit your Subscriber Preferences Page.

Emma

20 Massachusetts Ave NW, Washington DC 20529 · 1-800-375-5283
DECISION

MEMORANDUM FOR THE SECRETARY

FROM: Lori Scialabba
Acting Director

SUBJECT: Extension of Haiti’s Designation for Temporary Protected Status
Recommendation:

Approve/date ______________________ Disapprove/date ______________________

Modify/date ______________________ Needs discussion/date ______________________

Attachments:
Attachment A: Temporary Protected Status Legal Authority
Attachment B: December 2016 USCIS RAIO Research Unit Report (with February 2017 Addendum) on Conditions in Haiti
Attachment C: December 12, 2016 Department of State Recommendation Regarding Temporary Protected Status for Haiti (with February 15, 2017 Update)
Attachment D: Map of Haiti
At our briefing with AS1 on Haiti TPS, [redacted] asked that I follow up and provide a summary of efforts to help Haitians return home. Attached is a paper outlining their govt efforts and what USCIS has done to remind folks.

We still need to work on Honduras’ action plan...

Okay to send this Haiti one pager to [redacted]

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Direct: [redacted]
Cell: [redacted]
HAITI TPS – REPATRIATION OF FORMER TPS BENEFICIARIES

Objective:
- To outline what actions have been taken by the Haitian government and USCIS to prepare for the repatriation of Haitian TPS beneficiaries in the event Haiti’s TPS designation is terminated and to suggest future U.S. government actions that could be taken to enhance Haiti’s reabsorption capacity during a period of orderly transition.

Haitian Government Efforts to Date
- Former Secretary Kelly requested that the Government of Haiti take steps to prepare for the eventual end of its TPS designation. Specific steps Haiti has taken to prepare include:
  - Establishing a Working Group: The Government of Haiti established a minister-level working group focused on efforts to mitigate factors which cause Haitians to migrate illegally. A sub-group was created in order to focus specifically on preparations for the possible termination of TPS, understanding the need to ensure employment opportunities exist for TPS beneficiaries when they return to Haiti.
  - Conducting Outreach to Diaspora Leaders: Haiti’s Ambassador in Washington has worked to raise awareness amongst influential diaspora leaders, so they can effectively share information with the Haitian community in the United States on how the termination of TPS will affect them.
  - Providing Legal Assistance: The Haitian Mission in the U.S. established a hotline to provide legal assistance by way of immigration attorneys.
  - New Equipment to Produce Travel Documents: Haiti has recently acquired an additional travel document (passport) printer. Haitian government officials have assured DHS and State that Haitians seeking travel documents have no difficulty getting them, and that wait times to receive a passport have dropped and production rates increased.

USCIS Efforts to Date
- USCIS has also taken actions to remind Haitian TPS beneficiaries of the need to prepare for their departure in the event Haiti’s designation is terminated.
  - Providing instruction (see below) on obtaining nationality documents individually to registrants upon their filing;
  - Issuing a Web Alert that included this same instruction;
  - Disseminating the same language through USCIS’ stakeholder list; and
  - Including the instruction about getting documents in order on live Haitian radio shows in certain localities with a large Haitian diaspora.

MESSAGE: “Haiti TPS beneficiaries with no other immigration status are encouraged to prepare for their return to Haiti in the event Haiti’s designation is not extended again. This preparation includes TPS beneficiaries ensuring they have current, valid Haitian nationality documentation issued by the Government of Haiti (such as a passport) that will allow them to return to Haiti. Beneficiaries are encouraged to contact a Haitian consulate to assist in obtaining updated nationality documentation.”
USCIS met with DHS/HQ Front Office staff yesterday to discuss Haiti’s TPS designation. During that meeting, noting that the current recommendation is from former Secretary Kerry and given the change in administration, they requested that we seek an updated Department of State recommendation under current leadership. Copied are Secretary Kelly’s Senior Counselor, [Redacted] and Deputy Chief of Staff, [Redacted] who can follow up with State counterparts on this request as necessary.

With regard to timing, our aim is for Secretary Kelly to be able to make a decision by mid-April to facilitate FRN publication by not later than May 23. So your assistance in providing State’s current position on Haiti’s TPS designation on an expedited track is appreciated.

Thank you for your assistance. As always, we greatly appreciate State’s consultation in our TPS decision-making process.

[Redacted]  
Chief, International and Humanitarian Affairs Division  
Department of Homeland Security/U.S. Citizenship and Immigration Services  
Office of Policy and Strategy

(b)(6)
DECISION

MEMORANDUM FOR THE SECRETARY

FROM: James McCament
Acting Director

SUBJECT: Haiti’s Designation for Temporary Protected Status
Approve/date ___________________  Disapprove/date ___________________

Modify/date ___________________  Needs discussion/date ___________________

**Attachments:**
Attachment A: Temporary Protected Status Legal Authority
Attachment B: December 2016 USCIS RAIO Research Unit Report (with February 2017 Addendum) on Conditions in Haiti
Attachment C: December 12, 2016 Department of State Recommendation Regarding Temporary Protected Status for Haiti (with February 15, 2017 Update)
Attachment D: Map of Haiti

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9. See INA § 244(b)(3)(A).
10. See INA § 244(b)(3)(A), (C).
Looks like our 51 memo has taken some wings... Pretty factual though:

**US Citizenship and Immigration Services**

Trump Agency Wants To End Temporary Protection For 50,000 Haitians In U.S.

By Alan Gomez

*USA Today*, April 20, 2017

President Trump’s immigration agency is recommending that the U.S. end temporary protections for 50,000 Haitians allowed to remain in the United States following a series of natural disasters that have crippled the poverty-stricken Caribbean nation.

James McCament, acting director of U.S. Citizenship and Immigration Services, concluded in a letter last week that conditions in Haiti have improved enough to end “temporary protected status” for Haitians, according to a copy of the letter obtained by USA TODAY.

The Obama administration first offered temporary protection to Haitians following the devastating 2010 earthquake. The protection has been extended several times, the latest set to expire July 22. McCament proposed an extension to January to allow for a “period of orderly transition” but said the program should not be extended beyond then.

A final decision on the Haitians’ fate rests with Department of Homeland Security Secretary John Kelly. Spokesman David Lapan said Thursday that Kelly has not yet made that decision.

The recommendation upset Republican and Democratic members of Congress who have pleaded with Kelly to extend the protections. Last month, 10 lawmakers from Florida, where many Haitians reside, wrote to Kerry outlining recent disasters that have slammed Haiti.

That started with the 2010 earthquake that displaced hundreds of thousands and destroyed government buildings throughout the country. Haiti was struck by Hurricane Matthew six months ago, killing 1,000 people and crippling ongoing reconstruction work. All the while, Haiti has dealt with the worst cholera outbreak in its history, which has killed 9,000 people and continues to plague the country.

“Haiti is still struggling to recover from two major natural disasters that killed more than 200,000 people. Haiti is one of the poorest countries in the world and right now it’s unable to support the roughly 50,000 Haitians that are currently receiving protected status here in the U.S.,” Sen. Bill Nelson, D-Fla., said Thursday. “The U.S. should be focused on helping Haiti recover, not sending people back to a country that can’t support them.”

Read more:

Temporary Protected Status is offered to foreign nationals, including legal residents and undocumented immigrants, who cannot return to their home country because of armed conflict, a natural disaster or “other extraordinary and temporary conditions.”

The U.S. is currently giving protection to those from 13 countries: El Salvador, Guinea, Haiti, Honduras, Liberia, Nepal, Nicaragua, Sierra Leone, Somalia, Sudan, South Sudan, Syria and Yemen.

The recommendation is a sharp departure from the immigration agency’s report in December, when President Barack Obama was still in office.

“Many of the conditions prompting the original January 2010 ... designation persist, including a housing shortage, a cholera epidemic and limited access to medical care, damage to the economy ... political instability, security risks, food insecurity, and environmental risks (as exemplified by the impact of Hurricane Matthew in October 2016),” the report said.
That prompted then-Secretary of State John Kerry to ask the Department of Homeland Security to extend protections for Haitians because “certain extraordinary and temporary conditions related to the 2010 earthquake continue to exist.”

In the new report, agency acting director McCament said he tried to solicit a recommendation from Secretary of State Rex Tillerson but received no response.

McCament said Haiti has not completely recovered from the earthquake, but enough progress has been made. He said the Obama administration started sending some Haitians home in 2016.

The conclusion came as a shock to Esther Olavarria, a senior counselor at Homeland Security under Obama who helped institute the first protected status for Haiti in 2010. She said if Kelly follows through on the recommendation, “it would be a travesty.”

“What they’re trying to argue is the temporary aspect of this has ended and we’ve returned to, ‘Haiti as it was, always poor,’” she said. “But that’s just not the case.”

James W. McCament  
Director (Acting) | Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Deputy Director’s Office

(b)(6)

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News Release

Dec. 14, 2017

Re-Registration Period Now Open for Hondurans with Temporary Protected Status
I am reaching out to share a draft letter (attached) that we propose Secretary Kelly send to Secretary Tillerson to formally request his recommendation and State Department input on upcoming Temporary Protected Status designations.

The reason we are proposing Secretary Kelly send this letter is because our colleagues at State have shared that in order to facilitate State’s, and, specifically, Secretary Tillerson’s input into DHS’ TPS review process, it’s best if Secretary Tillerson directly receives a written request from DHS. This is a departure from past practice – such requests have historically been made informally at the USCIS-State working level via e-mail – but we do not see any great downside to formalizing, and elevating the level of, the request. There may even be an advantage in ensuring Secretary Tillerson’s visibility into and commitment to the TPS consultative process. To avoid sending a separate written request for each country, we have drafted a single letter making an overarching request for State’s recommendations and laying out the upcoming TPS review schedule. This bundled approach helps ensure Secretary Tillerson and his staff are fully apprised of all of the TPS designations coming up for review and our preferred timeline for receiving their input.

Again, the draft letter is attached for your review. Please let us know if you agree with the proposed course and, if so, how we can best help push this forward.

Thanks.

Kathy Nuebel Kovarik  
Chief, Office of Policy and Strategy  
U.S. Citizenship and Immigration Services
Colleagues:

OLA has completed sending copies of the Haiti TPS Federal Register notice and the DHS approved News Release to congressional staff contacts with all of the 18 Senators and 72 Representatives who sent letters or expressed interest in the extension of TPS for Haiti.

Congressional Liaison Specialist
Office of Legislative Affairs
US Citizenship and Immigration Services

Visit "The Resources Guide for Congress" on the USCIS Website: http://www.uscis.gov/congressionalresources

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Hi

Thanks much and yes, that makes sense. Will circle back with State and be sure is sync'd to join. I'll certainly emphasize both points.

Thanks!

James

Referred to Department of Homeland Security

From: McCament, James W
Sent: Thursday, April 13, 2017 10:34 AM
To: 
Cc: Nuebel Kovarik, Kathy
Subject: FW: Acting USCIS director contact information

Good morning

I received the below request from State, through Kathy's shop, to have a call with DOS to discuss Haiti TPS. Given the ongoing discussion, flagging for thoughts on whether DHS/Policy vs USCIS should lead with State on this call? Or happy to have the call with perhaps joining?

Thanks
James

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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From: [redacted]
Sent: Thursday, April 13, 2017 9:18:01 AM
To: McCament, James W
Cc: [redacted] Nuebel Kvarik, Kathy
Subject: FW: Acting USCIS director contact information

James,

State reached out this morning requesting your contact information to possibly reach out to discuss Haiti with respect to the upcoming TPS decision (see below). Sounds like it would be some combination of WHA and PRM folks. Assuming you are amenable to taking the call, what contact information (phone/email) would you like us to pass on to them?

Of course, we are happy to support you in any engagement with State that follows.

Best,

(b)(6)

Refered to U.S. Department of State
Thank you James for your message below. Can you make sure [redacted] includes Kathy on the brief pre-meeting invitation?

Sincerely,

[Redacted] Chief of Staff

Office of Policy and Strategy (OP&S)
U.S. Citizenship & Immigration Services (USCIS) | Department of Homeland Security (DHS)
20 Massachusetts Avenue NW - Suite 1200 | Washington, DC 20529
Office: [Redacted] | Mobile: [Redacted] | Email: [Redacted]

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From: McCament, James W
Sent: Monday, April 24, 2017 8:06 PM
To: [Redacted]
Cc: Renaud, Tracy L; Nuebel Kovalik, Kathy
Subject: RE: AD1-State Haiti TPS Call

Thanks for preparing the detailed timeline as well as the assessment of topics for Friday’s call. I certainly appreciate DOS concern regarding process as I likewise want to ensure close partnership (which I do believe repeated requests to DOS do reflect). That said, would definitely appreciate any further feedback you and [redacted] hear from DOS prior to Friday. In addition, let’s plan to have a brief pre-meeting on Thursday to discuss. Adding [redacted] to set up. [redacted] could you please also check with the schedulers for A/S Michael Dougherty as well as [redacted] to see if they are available?

Thanks again,

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
[Redacted] (Deputy Director’s Office)

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From: [Redacted]
Sent: Monday, April 24, 2017 5:14 PM
To: McCament, James W
Cc: Nuebel Kovařík, Kathy

Subject: AD1-State Haiti TPS Call

James,

Per your request, attaching a timeline for the Haiti TPS process that details the State-DHS consultations. (Also attaching the USCIS D1-S1 Dec Memo + attachments so you have everything in one place.) As shared on Saturday, State working-level colleagues have indicated the matters State is likely to raise include (1) the State-DHS consultative process on this decision (and others going forward), (2) the messaging strategy for terminating Haiti’s TPS should S1 decide to end it, and (3) possibly the decision itself.

(b)(6)

Please do let us know if there is anything else you need for the call. ☐ and I are happy to field any Qs, pre-brief, and backbench the call itself as needed/desired.

Chief, International and Humanitarian Affairs Division
Department of Homeland Security/U.S. Citizenship and Immigration Services
Office of Policy and Strategy

(b)(6)
Always a party here at USCIS!!

Imagine today has been fun with this communications and congressional related issue.

All set.

Perfect...thanks.

I know -- I can give her a call and find out what she's looking for...

Due to the sensitivity of this issue, perhaps one of you would be better equipped to call the staffer for Rep. Peter King of New York.
Please advise.
Hi (b)(6)

said you’re the guy to talk to reading TPS. Mr. King called me with some questions about this article. When you’re available, it may be better to have a call. Just let me know.

Thanks.

Mandy Bowers
Committee on Homeland Security
202.226.8417
homeland.house.gov

AP Exclusive: US hunts evidence of Haitian immigrant crimes
By ALICIA A. CALDWELL
31 minutes ago

WASHINGTON (AP) — The Trump administration has begun hunting for evidence of crimes committed by Haitian immigrants as it decides whether to allow them to continue in a humanitarian program that has shielded tens of thousands from deportation since a devastating earthquake.

The inquiries into any criminal histories of Haitian immigrants were made in internal U.S. Citizenship and Immigration Services emails obtained by The Associated Press. They show the agency’s policy chief also wanted to know how many of the roughly 50,000 Haitians enrolled in the Temporary Protected Status program were taking advantage of public benefits, which they are not eligible to receive.

The emails don’t make clear if Haitians’ misdeeds will be used to determine whether they can remain in the United States. The program is intended to help people from places beset by war or disasters and, normally, the decision to extend it depends on whether conditions in the immigrants’ home country have improved. But emails suggest Homeland Security Secretary John Kelly, who will make the decision, is looking at other criteria.
Homeland Security spokesman David Lapan said Tuesday that criminal history and other information requested by policy chief Kathy Nuebel Kovarik won’t be used to make a final decision. Lapan said the questions were asked so that Kelly could have a fuller understanding of who is participating in the program.

But Lapan’s explanation doesn’t seem to reflect the apparent importance placed on the questions by Kovarik, the Citizenship and Immigration Services head of policy and strategy, in repeated emails to her staff.

“I do want to alert you ... the secretary is going to be sending a request to us to be more responsive,” Kovarik wrote on April 27. Addressing the inability of agency employees to gather the requested information about wrongdoing, she said: “I know some of it is not captured, but we’ll have to figure out a way to squeeze more data out of our systems.”

The request for criminal data for an entire ethnic community is unorthodox. The law doesn’t specify it should be a consideration for Temporary Protected Status, and the government has never said it would use criminal rates in deciding if a country’s citizens should be allowed to stay under this program. Introducing new criteria is likely to cause consternation among law-abiding Haitians who may feel they are being penalized for the wrongdoing of others.

But the request fits in with President Donald Trump’s tough-on-immigration focus that is a core demand of his political supporters. He has enhanced efforts to arrest people living illegally in the United States and has sought, unsuccessfully so far, to suspend refugee arrivals and temporarily block visitors from seven Muslim-majority countries. He has accused those in the U.S. illegally of fueling criminality.

It is unclear if the agency is asking such questions about other recipients of the temporary protection, including immigrants from Honduras and El Salvador.

Cheryl Little, executive director of Miami-based Americans for Immigrant Justice, said the emails show that Trump is looking to deny benefits to Haitians instead of considering their eligibility for special consideration. She said her Haitian clients with Temporary Protected Status already were terrified that their benefits would be revoked.

“Most of them have lived here upward of 15 years. They work hard. They pay taxes. They have U.S. citizen children. They contribute greatly to our economy,” she said.
Trump courted the votes of Haitian-American citizens in the critical state of Florida. Campaigning in Miami’s Little Haiti in September, he said, “The Haitian-American community deserves our gratitude and our respect, and I want you to know, you have my respect.”

Temporary Protected Status is intended to be just that, temporary. The Obama administration included Haiti in the program shortly after the January 2010 earthquake killed as many as 300,000 people, destroyed much of the capital and caused widespread damage in the southern part of the Caribbean nation. Since then, Haitians have been eligible to stay regardless of how they entered the United States — legally or illegally — as long as they were residing here before Jan. 12, 2011.

Eligibility for Haitians has been repeatedly extended and is to expire July 22. The Trump administration must decide by May 23 so that it can provide 60 days’ notice about its plans.

USCIS’ acting director has recommended letting the program expire. In an April 10 memo first reported by USA Today, James McCament said Haiti is no longer in crisis despite its poverty and political instability. However, he wants to allow the Haitians to stay until January so they have time to make arrangements to voluntarily leave. If they don’t depart the U.S. by then, the government could move to deport them.

Still, Homeland Security’s Kelly has the final word.

The emails inquiring about misdeeds were sent from April 7 to May 1.

In her first week on the job, Kovarik, the policy chief, asked officials how often Haitians with temporary status have been convicted of “crimes of any kind,” and how many have taken advantage of public benefits. She asked for that information in four separate emails. She also asked how much money Haitians have sent home and how often they've traveled back to Haiti. Frequent travel could suggest improved conditions.

“Please dig for any stories (successful or otherwise) that would show how things are in Haiti - i.e. rebuilding stories, work of nonprofits, how the U.S. is helping certain industries,” Kovarik wrote on April 28. “We should also find any reports of criminal activity by any individual with TPS. Even though it’s only a snapshot and not representative of the entire situation, we need more than ‘Haiti is really poor’ stories.”
The emails were largely directed to non-political employees. They responded by saying much of the data was not available or was difficult to find in government records systems.

Maria Odom, a former Citizenship and Immigration Services ombudsman in the Obama administration, said she was puzzled by the inquiries about criminal activities. She said the government already checks criminal histories of applicants and denies protections to those who’ve broken U.S. laws.

“You should not craft a humanitarian policy based on the few,” Odom said.
Thanks for sharing. I agree with the framework of the talking points. (Feel free to add me to the chain as well). Great flag too regarding the decision being different from my recommendation. That said, to that point I’d suggest something along the following lines:

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Wanted to share this chain so you can see what the suggested TPs are.

Great improvements. I had just a few edits. I didn’t insert additional questions, but would flag that we could get these two other inquiries:

1) Why did the Secretary make a decision contrary to the USCIS Director (ie from the leaked decision memo)?
2) How will the U.S. help the Haitian Government help people transition back to their homeland, as suggested in the FRN?

And while USAID programs and rebuilding initiatives fall under the State Department, can we get information from them to include to show how the US has been a part of Haiti’s rebuilding efforts? I think people need to be reminded that we’re active partners in their recovery.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

From: (b)(6)
Sent: Saturday, May 20, 2017 11:20 PM
To: 
Cc: Kathy Nuebel Kovarik
Subject: RE: Approval and Input Needed: Draft Talking Points and Q&A for Haiti TPS Announcement Monday

All, I offer some fairly significant edits to the talking points in the attached. A couple of the points were correct under a termination scenario, but are not now still the case under an extension. I also inserted in the talking points some of the additional messaging that is included in the latest version of the news release and the FRN. Finally, in light of the discussion on this chain, I took a shot at an answer to the criminal/public benefits question that states the decision was based on the statutory conditions, but notes that one of those conditions includes that the Secretary may consider whether permitting Haitian nationals to remain in the United States is contrary to the national interest of the United States.

Thanks,

From: (b)(6)
Sent: Saturday, May 20, 2017 10:15 PM
To: 
Cc: Kathy Nuebel Kovarik
Subject: RE: Approval and Input Needed: Draft Talking Points and Q&A for Haiti TPS Announcement Monday

From: (b)(6)
Sent: Saturday, May 20, 2017 8:31:22 PM
To: 
Subject: RE: Approval and Input Needed: Draft Talking Points and Q&A for Haiti TPS Announcement Monday

+Kathy. Quick thoughts -- think this bit will need tweaking:

As I understand it, we are requiring reregistration and not auto-extending EADs.

The rest looks essentially okay to me. Thanks,

Referred to Department of Homeland Security
Thanks for attaching a copy of the incoming letter, which we received from State colleagues.

Deputy Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security
Desk Phone:
Mobile:
E-mail:

From: McCament, James W. Nuebel Kovarik, Kathy
Sent: Wednesday, July 19, 2017 3:53 PM
To: McCament, James W. Nuebel Kovarik, Kathy

Subject: FW: Democratic senators make the case for TPS renewals

FYI

From: POLITICO Pro Employment and Immigration Whiteboard
Sent: Wednesday, July 19, 2017 3:47:19 PM
To: 
Subject: Democratic senators make the case for TPS renewals

By Ted Hesson

07/19/2017 03:43 PM EDT

A group of 26 Democratic senators sent a letter this week to Trump administration officials that argues for an extension of Temporary Protected Status for 10 countries currently covered under the humanitarian program.

The secretary of Homeland Security can issue a grant of TPS to people from nations affected by natural disasters, armed conflicts or other "extraordinary" events. With TPS status, enrollees can live and work in the U.S.

Last week, however, Homeland Security Secretary John Kelly said he can't guarantee any renewals for countries in the program.

Sens. Kirsten Gillibrand (D-N.Y.), Bob Menendez (D-N.J.), and two dozen colleagues sent a letter to the departments of Homeland Security and State urging them to renew TPS for the current group of countries — El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria and Yemen.
"We urge you to review each of the designations closely, taking into consideration conditions on the ground and remaining mindful of the possibility that ending TPS and ordering the return of recipients could undermine fragile recovery efforts or put individuals in harm’s way," the senators wrote in their letter.

To view online: https://www.politicopro.com/employment-immigration/whiteboard/2017/07/democratic-senators-make-the-case-for-tps-renewals-090783

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Yes, very Somewhat Neutral Not really Not at all

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(b)(6)
Right? I mean CORRECT. :)
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From: McCament, James W
Sent: Tuesday, May 09, 2017 2:02:56 PM
To: Nuebel Kovarik, Kathy
Subject: FW: DHS official: Crime data on Haitians won't be used for TPS decision

FYI. Sorry Kathy, I realized I'd noted I'd include you but hadn't added you to the chain. CC'ing ___ as well.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: McCament, James W
Sent: Tuesday, May 09, 2017 1:46:14 PM
To: ___________________________
Cc: ___________________________
Subject: RE: DHS official: Crime data on Haitians won't be used for TPS decision

Thank you ___

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: [Redacted]
Sent: Tuesday, May 09, 2017 1:32:01 PM
To: McCament, James W
Cc: [Redacted]

Subject: RE: DHS official: Crime data on Haitians won't be used for TPS decision

One correction with the wording below. Reflective should be reflected. Typing too fast. Thanks all!

From: McCament, James W
Sent: Tuesday, May 09, 2017 1:26 PM
To: [Redacted]
Cc: [Redacted]

Subject: RE: DHS official: Crime data on Haitians won't be used for TPS decision

Thanks very much. I'd not seen this story. Thanks for forwarding. Adding and Kathy for visibility.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: [Redacted]
Sent: Tuesday, May 09, 2017 1:19:00 PM
To: [Redacted]
Cc: [Redacted]

Subject: RE: DHS official: Crime data on Haitians won't be used for TPS decision

Thanks for the vis, all. OCOMM worked this last night with TPs to the DHS press secretary reflective in the PoliticoPro story. and James for awareness. for vis.

Chief, Office of Communications | U.S. Citizenship and Immigration Services
20 Massachusetts Ave. NW, Suite 3100 | Washington, DC 20529-2160
Office: [Redacted] | Cell: [Redacted]
Fax: [Redacted] | email:

Subject: AP Exclusive: US looks for evidence of crimes by Haitians
AP Exclusive: US looks for evidence of crimes by Haitians

By ALICIA A. CALDWELL

WASHINGTON (AP) — The Trump administration is taking the unusual step of hunting for evidence of crimes committed by Haitian immigrants as it decides whether to allow them to continue participating in a humanitarian program that has shielded tens of thousands from deportation since an earthquake destroyed much of their country.

The inquiries into the community’s criminal history were made in internal U.S. Citizenship and Immigration Services emails obtained by The Associated Press. They show the agency’s newly appointed policy chief also wanted to know how many of the roughly 50,000 Haitians enrolled in the Temporary Protected Status program were taking advantage of public benefits, which they are not eligible to receive.

The emails don’t make clear if Haitian misdeeds will be used to determine whether they can remain in the United States. The program is intended to help people from places beset by war or disasters and, normally, the decision to extend it depends on whether conditions in the immigrants’ home country have improved enough for them to return. But emails suggest Homeland Security Secretary John Kelly, who will make the decision, is looking at other criteria.

“I do want to alert you ... the secretary is going to be sending a request to us to be more responsive,” Kathy Nuebel Kovarik, the USCIS head of policy and strategy, wrote on April 27. Addressing the inability of agency employees to gather the requested information about wrongdoing, she said: “I know some of it is not captured, but we’ll have to figure out a way to squeeze more data out of our systems.”

The request for criminal data for an entire community is unorthodox. The law doesn’t specify it should be a consideration for Temporary Protected Status and the government has never said it would use criminal rates in deciding if a country’s citizens should be allowed to stay under this program. Introducing new criteria is likely to cause consternation among law-abiding Haitians who may feel they are being penalized for the wrongdoing of their compatriots.

But the request fits in with President Donald Trump’s broader, tough-on-immigration focus that is a core demand of his political supporters. He has enhanced efforts to arrest people living illegally in the United States and sought, unsuccessfully so far, to suspend refugee arrivals and temporarily block visitors from seven Muslim-majority countries. He has accused those in the U.S. illegally of fueling criminality in
the U.S.
It is unclear if the agency is asking such questions about other recipients of the temporary protection, including immigrants from Honduras and El Salvador. The Homeland Security Department said Kelly has not made a final decision about Temporary Protected Status for Haiti and declined to comment on the process. Temporary Protected Status is intended to be just that, temporary. The Obama administration included Haiti in the program shortly after the January 2010 earthquake that killed as many as 300,000 people and devastated schools, hospitals, homes and even entire neighborhoods. Since then, Haitians have been eligible to stay regardless of how they entered the United States — legally or illegally — as long as they were residing in the U.S. before Jan. 12, 2011.
Eligibility for Haitians has been extended several times and is set to expire July 22. The Trump administration must decide by May 23 so that it can provide 60 days’ notice about its plans.
USCIS’ acting director has recommended letting the program expire. In an April 10 memo first reported by USA Today, James McCament said Haiti is no longer in crisis despite its poverty and political instability. However, he wants to allow the Haitians to stay until January so they have time to make arrangements to voluntarily leave. If they don’t depart the U.S. by then, the government could move to deport them. Still, Homeland Security’s Kelly has the final word.
The emails inquiring about misdeeds were sent from April 7 to May 1.
In her first week on the job, Kovarik, the policy chief, asked officials how often Haitians with temporary status have been convicted of “crimes of any kind,” and how many have taken advantage of public benefits. She asked for that information in four separate emails. She also asked how much money Haitians have sent home and how often they’ve traveled back to Haiti. Left unsaid is that frequent travel could suggest improved conditions.
“Please dig for any stories (successful or otherwise) that would show how things are in Haiti - i.e. rebuilding stories, work of nonprofits, how the U.S. is helping certain industries,” Kovarik wrote on April 28. “We should also find any reports of criminal activity by any individual with TPS. Even though it’s only a snapshot and not representative of the entire situation, we need more than ‘Haiti is really poor’ stories.”
The emails were largely directed to non-political employees. They responded by saying much of the data were not available or were difficult to find in government records systems.
Criminal fingerprint records, for instance, don’t generally indicate if a suspect has Temporary Protected Status. And the employees said the public benefits request was
almost impossible to answer because TPS participants aren’t eligible for most. About the only firm information Kovarik’s queries turned up, according to the emails, is that Haiti benefited from about $1.3 billion in remittances from the United States in 2015. Officials said they could only guess how much came from the temporarily protected group, which comprise only a fraction of the estimated 954,000-strong Haitian diaspora in the United States.

Maria Odom, a former Citizenship and Immigration Services ombudsman who served during the Obama administration, said she was puzzled by the inquiries about criminal activities. She said the government already checks criminal histories of applicants and denies protections to those who’ve broken U.S. laws.

“You should not craft a humanitarian policy based on the few,” Odom said.

From: (b)(6) 
Sent: Tuesday, May 09, 2017 1:12 PM 
To: 
Cc: 
Subject: RE: DHS official: Crime data on Haitians won't be used for TPS decision

Hi

Thank you for sharing. Below you’ll see a link to the NY Daily News article on a similar topic.


TPS Program Manager
Service Center Operations
U.S. Citizenship and Immigration Services
Office: 
Mobile: (b)(6)

From: (b)(6) 
Sent: Tuesday, May 09, 2017 12:55 PM 
To: 
Cc: 
Subject: FW: DHS official: Crime data on Haitians won't be used for TPS decision

FYI.
From: POLITICO Pro Employment and Immigration Whiteboard
Sent: Tuesday, May 09, 2017 12:43:03 PM
To: (b)(6)
Subject: DHS official: Crime data on Haitians won't be used for TPS decision

By Ted Hesson

05/09/2017 12:34 PM EDT

Homeland Security Department spokesperson David Lapan today tamped down the idea that data on criminality could be used to decide whether to renew humanitarian protections for Haitians in the U.S.

Internal U.S. Citizenship and Immigration Services emails obtained by the Associated Press showed an official inquired into whether the agency could compile data on crimes committed by the roughly 50,000 Haitians living in the U.S. with Temporary Protected Status.

The official, USCIS policy chief Kathy Nuebel Kovarik, also asked if the agency could compile data that showed how many Haitians on TPS utilize public benefits, which they would not be eligible to receive under the program.

TPS allows people to temporarily remain in the U.S. after a natural disaster or ongoing armed conflict, but needs to be renewed periodically by the administration.

The status for Haiti is scheduled to expire in July, and DHS Secretary John Kelly has not yet decided whether to renew it, according to Lapan.

“The secretary’s decision on TPS for Haiti will hinge upon the conditions in that country,” Lapan said today in response to a question about the data gathering. “Separate and distinct from that, the secretary has asked questions of his staff about how the program operates.”

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Yes, very Somewhat Neutral Not really Not at all

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1000 Wilson Blvd. Arlington, VA, 22209, USA
It did not will be providing a high level read out (I wasn’t able to get on)...that said, the Wash Post ran a story on it half an hour before the call...

Did this take place? How did it go?

Tracy L. Renaud  
Acting Deputy Director  
US Citizenship & Immigration Services  
Department of Homeland Security  

Referred to Department of Homeland Security
Thanks for the quick response. We will proceed accordingly.

Don, this plan seems operationally sound and reasonable to proceed ahead.

James

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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This sounds reasonable to me, Don.
If we don’t want that to continue I need to provide alternate instruction as that is what they are doing until further notice. As for the cases at the lockbox This won’t happen for another week or two due to technical issues with ingesting any TPS cases into ELIS at the Lockbox. If we would rather have them rejected we can do so. It would be different treatment from the others that were receipted and denied, however it is consistent with the approach I’d like to take going forward with any early filings in the future. The contractors cannot easily distinguish between a premature filing for a new re-registration window and a late filing for a prior re-registration window, which is why they haven’t rejected them previously. Going forward I would like to instruct the lockbox to refer these to USCIS staff in the CRU to determine if acceptance or rejection is appropriate rather than receipt them all.

From: (b)(6)
Sent: Tuesday, May 23, 2017 5:45 PM
To: McCament, James W; Neufeld, Donald W; Renaud, Tracy L; Nuebel Kvarvik, Kathy
Cc: (b)(5)
Subject: RE: Early Haiti TPS Re-registration Filings

Here is our feedback:
I hope this helps.

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From: McCament, James W  
Sent: Monday, May 22, 2017 6:23 PM  
To: Neufeld, Donald W; Renaud, Tracy L; Nuebel Kovarik, Kathy;  
Cc:  
Subject: RE: Early Haiti TPS Re-registration Filings

Don, thanks for flagging this and for presenting the thorough pros/cons. It will be helpful to have your folks weigh in with the SCOPS team so that guidance can go forward tomorrow. From the quick review of the options, it seems holding everything currently pending might be the smoothest, given that the C3 and ELIS distinction may not translate to a large volume. Once OCC has weighed in, let us know your thoughts on the best, understandably not ideal, of the different options.

James W. McCament  
Director (Acting) | Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Deputy Director's Office)
I just want to flag an issue we’ll need to address quickly. Until now, we have been denying I-821s filed by Haitians seeking to re-register prematurely. There are a number still pending and we expect a few more at the lockbox before the filing window opens on Wednesday. Now that S1 has decided to extend for 6 months, operationally it would be easy to instruct the lockbox to hold them going forward since they will also be holding the timely filed cases until ELIS ingestion is available in early June. For those already ingested into C3 we can continue denying them as per the practice in place prior to today’s announcement. Treating those received before today’s announcement differently than those received afterward seems entirely defensible, but I understand there may be other views. Other options would be to continue denying anything that comes in before Wednesday or hold everything currently pending until after Wednesday for approval (if otherwise approveable). Holding everything would result in a small number being processed in C3 vs. ELIS, which isn’t ideal but not awful.

Apparently, there is no hard and fast rule we have consistently followed. We have frequently used a cutoff date to sort these out, meaning we held and processed cases filed a week in advance, but not those filed even earlier. It’s complicated because sometimes the announcement has been made further in advance of the filing window.

There’s an argument for and against every option, so in the end we’re going to have to make a less than ideal choice. I’ve asked Alex to consult with OCC to get a legal read, but given the urgency I wanted to flag it for you in advance. Ideally, we need to provide guidance early in the day tomorrow.
From: McCament, James W [mailto:]
Sent: Tuesday, July 25, 2017 8:56 AM
To:  
Cc:  
Subject: RE: Follow-up Regarding Haitian Government Travel Document Readiness

Great, thanks for the update. Yes, we are planning that call with Ambassador Altidor this week—perhaps later today or tomorrow morning. We wanted to echo the message you’d delivered so this update is very helpful. Could your team at Embassy PAP share a copy of that social media message with us (if possible)? I’d like to use that as an emphasis point with the Ambassador in the call. Good to know that this seems to be a different step than usual—perhaps they are more fully recognizing our firm intentions regarding travel documentation. Will let you know as soon as the call as
scheduled. Ambassador Jim Nealon, cc’d, our Assistant Secretary for International Affairs, will be on the call as well. Thanks again JM

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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Referred to U.S. Department of State

From: McCament, James W [mailto:]
Sent: Monday, July 24, 2017 7:31 PM
To: 
Cc: 
Subject: Follow-up Regarding Haitian Government Travel Document Readiness

(b)(6)

Hi,

Thanks again for the good conversation last Monday regarding Haiti TPS. Including the question regarding Haitian Government issuance of travel documents for TPS recipients-and potential facilities for doing so here in the US. Know you’d mentioned having a call with some of the Haitian government officials last Thursday or Friday I believe? And that you’d intended to press the point
regarding status. Just wanted to see if the call occurred and any response by the Haitians as to their plans for an issuance facility?

Thanks (b)(6)

James

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(Deputy Director's Office)

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Thanks, that will be fine. It will be good to have the snapshot tomorrow to which we can add. Thanks!

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Deputy Director’s Office)

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We will run it tomorrow but we suspect some of the filings near the TPS deadline won't be in the system yet. We can always rerun it in a few days.
Hi [name] and all, (b)(6)

Thanks all for running the numbers last week regarding re-registration. With closure of the re-registration period, can you all please provide updates to the data you provided last week regarding activity of folks applying for other than TPS benefits? We need tomorrow if at all possible.

Thanks!

James

---

**James W. McCament**  
Director (Acting) | Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Deputy Director’s Office)

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From: [name]  
Sent: Monday, July 17, 2017 1:56 PM  
To: Renaud, Tracy L  
Cc: McCament, James W.; Nuebel Kovarik, Kathy; Neufeld, Donald W. (b)(6)  
Subject: RE: Haiti

Hi Tracy - Please see the updated table. Since the Friday report, there have been 36 more matches in the most recent extension period.

Here is a brief explanation of our procedure to determine the rate of Haitian TPS recipients applying for LPR status:

- For the 58.9K beneficiaries, search for any I-130, I-140, I-360, or I-485 that was filed on or after Jan 21, 2010 (initial TPS Haiti designation date) by matching the A-number on the I-821 TPS application with the beneficiary A-number on the immigrant petition or I-485.
- For each matching A-number, find the earliest receipt date if there is a multiple match.
- To estimate the if there is a upward trend since the May 24, 2017 FRN publication, determine the number of weeks between each of the previous FRN publication dates, then calculate the average number of individuals filing per week in each reregistration period.

The following table and graph demonstrate a recent increase in applications / petitions in the current
6-month registration period, but also an increase in December 2016, preceding the fee increase.

Number of individuals with Approved TPS from Haiti as of May 23, 2017 who were the beneficiary of an immigrant petition (I-130, I-140, or I-360) or filed an I-485

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<td>2,075</td>
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<td>5,471</td>
<td>60</td>
<td>Fee Increase in Dec 2016</td>
</tr>
<tr>
<td>5/24/2017</td>
<td>Extension - 6 Months</td>
<td>967</td>
<td>124</td>
<td></td>
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<tr>
<td><strong>Grant Total</strong></td>
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<td><strong>16,132</strong></td>
<td>41</td>
<td></td>
</tr>
</tbody>
</table>

Deputy Chief
Office of Performance and Quality (OPQ)
U.S. Citizenship and Immigration Services

From: Renaud, Tracy L
Sent: Monday, July 17, 2017 11:57 AM
To: Neufeld, Donald W; McCament, James W;
Cc: Nuebel Kovanik, Kathy;
Subject: RE: Haiti

DHS would like to have the data re-run as of today to see what activity we’ve seen in the last few days since you ran it. They would also like it run again at the end of the re-registration period. Can you guys please get someone working the re-run for today ASAP? Thanks so much!

(b)(6)

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

From: Hoesser, Theresa
Sent: Friday, July 14, 2017 4:02 PM
To: Renaud, Tracy L.; Neufeld, Donald W; McCament, James W;
Cc: Nuebel Kovanik, Kathy;
Subject: RE: Haiti

Tracy,

Here is a brief explanation of our procedure to determine the rate of Haitian TPS recipients applying
for LPR status:

- For the 58.9K beneficiaries, search for any I-130, I-140, I-360, or I-485 that was filed on or after Jan 21, 2010 (initial TPS Haiti designation date) by matching the A-number on the I-821 TPS application with the beneficiary A-number on the immigrant petition or I-485.
- For each matching A-number, find the earliest receipt date if there is a multiple match.
- To estimate the if there is a upward trend since the May 24, 2017 FRN publication, determine the number of weeks between each of the previous FRN publication dates, then calculate the average number of individuals filing per week in each reregistration period.

The following table and graph demonstrate a recent increase in applications / petitions in the current 6-month registration period, but also an increase in December 2016, preceding the fee increase.

Number of individuals with Approved TPS from Haiti as of May 23, 2017 who were the beneficiary of an immigrant petition (I-130, I-140, or I-360) or filed an I-485

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<td>Extension - 6 Months</td>
<td>931</td>
<td>123</td>
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<tr>
<td><strong>Grant Total</strong></td>
<td></td>
<td><strong>16,096</strong></td>
<td><strong>41</strong></td>
<td></td>
</tr>
</tbody>
</table>

The attached graph shows the data by month (excluding the incomplete month of July) and clearly demonstrates the recent increases starting in March, following an increase in December associated with the fee rule.

Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

(b)(6)

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From: Renaud, Tracy L
I think this is fine since we will be comparing apples to apples even if there is some imperfection in the information. Thanks very much.

Tracy,  

I think the only way to do this is to look at windows on monthly petitions (I-130, I-140, I-360) and I-485 applications so the numbers may be look different than previously provided. Also, as we indicated, we don’t have all the information on I-130 petitions because beneficiary A-number is not consistently collected. The data provided yesterday are hierarchal so the 8,623 LPRs may show up in the I-130 or I-485 counts in what we propose to answer his question. I think this is the best we can do to identify the pace in applications pre- and post-announcement.

We’ll proceed with this plan unless I hear otherwise.

Chief, Office of Performance and Quality  
U.S. Citizenship and Immigration Services

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Thanks for working this issue for us. This morning, the Secretary refined the question a bit and asked whether we are seeing more Haitians pursue other avenues of regularizing their status through means other than TPS since the most recent announcement was made that there would be only a 6-month extension with an indication that they should use that time to make plans for their return to Haiti. For those indicated below as seeing other status, can you parse those out between pre- and post-announcement and see if there are any upward trends?

Tracy, 

The most recent number of Haitians approved for TPS is 58,945. Note that this statistic applies to persons who were approved for TPS prior to May 24, 2017, the most recent re-registration date, and did not have a subsequent TPS denial after an approval. The current re-registration period is from May 24, 2017 to July 24, 2017. The figures below will change as more beneficiaries apply for TPS during the latest re-registration window. As of July 12, 2017:

- 24,777 have filed for re-registration
- 34,168 have not filed for re-registration

Additionally, there are 672 beneficiaries who have applied for TPS since May 24, 2017 who fall outside of the 58,945 population listed above.

- 18 are beneficiaries applying for late initial registration
- 654 are beneficiaries applying for re-registration who are not within the 58,945 population.
- 124 of the 654 had their most recent TPS application denied
- The remaining 530 may have A-number mismatch issues or were possibly improperly filed

Beneficiaries seeking some other status

The following list provides the status of the 58,945 beneficiaries with approved TPS prior to
May 24, 2017. By matching A-numbers when available to the Central Index System and CLAIMS3 receipts for immigrant petitions (I-130, I-140, and I-360) and adjustment of status (I-485) filed after January 21, 2010 (the date of initial TPS Haiti designation), we find:

- 8,623 have an immigrant status (based on the Central Index System)
- 1,107 are U.S. Citizens (based on the Central Index System)
- 5,783 have filed an I-485 since January 21, 2010 but do not have immigrant or U.S. Citizenship status
- 4,024 are the beneficiaries of an immigrant petition (I-130, I-140, or I-360) filed since January 21, 2010, but have not applied for an I-485
- 39,408 were not included in the above categories. They have no record of LPR or U.S. citizenship status, and no record of being the beneficiary of an immigrant petition since January 21, 2010, and no record of an I-485 filed since January 21, 2010. Matching was performed based on A-numbers. Note that some of these 39,408 TPS re-registrants may have applied filed for immigrant or nonimmigrant status but we cannot determine whether they have or not due to the lack of A-numbers in some petition data (see note below).

Note: All TPS applicants have A-numbers, but not all petition records have A-numbers. Form I-130 does not require an A-number for data entry; therefore, some of the approved TPS beneficiaries may have an I-130 filed on their behalf that was not identified in the figures above. In addition, nonimmigrant petitions do not require an A-number and are excluded from the matching.

Please let me know if you have any questions.

(b)(6)

Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

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From: Renaud, Tracy L
Sent: Saturday, July 08, 2017 10:06 AM
To: [Redacted]
Cc: Nuebel Kovarik, Kathy; [Redacted]McCament, James W
Subject: FW: Haiti

SCOPS and OPQ-- can you guys pull together whatever data we can gather to address question below?
Hi y'all,

You'll probably get this question from the Chief soon, but have we seen any action on Haiti TPS recipients in terms of filing applications to renew, or current beneficiaries seeking some other status through family or other means? The former is likely much easier to answer than the latter.

Thanks!
James,

Please see the updated table below. Since the July 17 report, there have been 136 more matches in the most recent extension period.

Here is a brief explanation of our procedure to determine the rate of Haitian TPS recipients applying for LPR status:

- For the 58,9K beneficiaries, search for any L-130, L-140, L-360, or L-485 that was filed on or after Jan 21, 2010 (initial TPS Haiti designation date) by matching the A-number on the L-821 TPS application with the beneficiary A-number on the immigrant petition or L-485.
- For each matching A-number, find the earliest receipt date if there is a multiple match.
- To estimate the if there is a upward trend since the May 24, 2017 FRN publication, determine the number of weeks between each of the previous FRN publication dates, then calculate the average number of individuals filing per week in each reregistration period.

The following table and graph demonstrate a recent increase in applications / petitions in the current 6-month registration period, but also an increase in December 2016, preceding the fee increase.

Number of individuals with Approved TPS from Haiti as of May 23, 2017 who were the beneficiary of an immigrant petition (L-130, L-140, or L-360) or filed an L-485

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<td>60</td>
<td>Fee Increase in Dec 2016</td>
</tr>
<tr>
<td>5/24/2017</td>
<td>Extension - 6 Months</td>
<td>1,130</td>
<td>126</td>
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</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td></td>
<td><strong>16,295</strong></td>
<td><strong>42</strong></td>
<td></td>
</tr>
</tbody>
</table>

Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

(b)(6)
Thanks very much. I appreciate you all pulling so quickly and we’ll wait to see the additional information regarding current beneficiaries seeking other benefits. Thanks again.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Hello everyone - Here is the file for ELIS receipts and completions. In the TPS tab, there are 20077 receipts in June 2017. This report does not break out by country, but since only Nicaragua and Haiti are in ELIS and the NIC cases should have mostly been filed already, we can give a rough estimate of 20,000 TPS Haiti receipts in the most recent re-reg period. The second question is a little more complicated and will take further research on Monday.

SCOPS and OPQ-- can you guys pull together whatever data we can gather to address the question below?

Tracy L. Renaud
Yes. Will do.

Deputy Chief
Office of Performance and Quality (OPQ)
U.S. Citizenship and Immigration Services

DHS would like to have the data re-run as of today to see what activity we’ve seen in the last few days since you ran it. They would also like it run again at the end of the re-registration period. Can you guys please get someone working the re-run for today ASAP? Thanks so much!

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security
desk)

Here is a brief explanation of our procedure to determine the rate of Haitian TPS recipients applying for LPR status:

- For the 58.9K beneficiaries, search for any I-130, I-140, I-360, or I-485 that was filed on or after Jan 21, 2010 (initial TPS Haiti designation date) by matching the A-number on the I-821 TPS application with the beneficiary A-number on the immigrant petition or I-485.
- For each matching A-number, find the earliest receipt date if there is a multiple match.
Hi [Name], Welcome back. USCIS pulled together some data on Haiti TPS reregistration. It’s quite interesting:

The most recent number of Haitians approved for TPS is 58,945. As of July 12, 2017, 24,777 have filed for re-registration, and 34,168 have not filed for re-registration. This will continue to rise as we approach the re-registration deadline. An additional 672 Haitians have also filed for TPS since May 24th, but these represent a tiny minority of improper filings, late initial registrations, or previous denials.

Since May 24th, there has been a noticeable spike in the number of Haiti TPS recipients who either became beneficiaries of immigrant petitions or have filed adjustment applications. Attached is a chart which illustrates this spike. There was similar spike late last year just before filing fees went up.

Below is a chart which breaks down the number of Haiti TPS recipients who became immigrant petition beneficiaries or filed adjustment applications during the different TPS extension or re-designation periods.

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<td></td>
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If you need any additional data on this issue, please let us know.

Acting Chief of Staff
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, N.W.
Washington, DC 20529

(b)(6)
Sorry, chairing IGB all morning, will touch base with you around midday if that's ok.

All, an additional update as Jim and his team work to schedule the call with Ambassador Altidor. Acting Assistant Secretary/Principal Deputy Merten confirmed this morning that he met with the Haitian Ambassador Thursday late. The Ambassador told him they are doing things: nothing tangible yet, but he said he and the Haitian Government realize they need to demonstrate that they are working on accepting these folks back at some point.

I understand from our Embassy that the Haitian Consulate in Miami (apparently uncharacteristically) pushed out some info to Haitian citizens on social media last week on whet the Consulate could and could not help citizens get in terms of paperwork. Not sure it’s related to the TPS deadline, but in his experience pro-active outreach by that institution is pretty unusual. He believes the Embassy got the same message from the Foreign Minister in Port-au-Prince. That said, I’ve asked for a copy of the message so that we can use as a discussion point in the call.

That said, Kirstjen/all and I will work on the call. We can then circle back to provide an update for S1 once the call occurs. Jim, offline let me know when you can discuss this morning?

Thank you,

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Thanks absolutely be glad to discuss logistics and talking points. I think our USCIS Policy folks may have reached out to your team to discuss strategy on calling so I think we can lock that tomorrow?

Kirstjen/all, in keeping with S1’s ask, attached is the update I’d shared with last week regarding status to date—which is to confirm that the intel we’d received as of early last week showed no progress has been made.

Subsequently, I raised this question in a call with Ken Merten, Acting Assistant Secretary for Western Hemisphere Affairs/Special Haiti Coordinator. A/PDAS Merten noted he planned to have a meeting with Haitian Ambassador Altidor-Wednesday or perhaps later in the week. Travel Document Assistance would be one of the topic he promised to emphasize. He promised to have feedback to me following the meeting. (I’ve not heard back as yet but just sent him a message, cc’ing and to ask if they had feedback from the meeting).

Let me know when would be a good time to discuss tomorrow?

Thanks all,

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Deputy Director’s Office)

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Referred to Department of Homeland Security
Great, thanks Safe travels!

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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As requested. It appears the sub-PCC was today.

Kathy,

Kathryn and I received a call last Thursday from an NSC colleague, Transportation and Border Directorate), requesting a quick update on the DHS Haiti TPS decision – just seeking a sense of timing for the decision and where the State consultation process stood. We provided a quick oral summary, noting the USCIS recommendation, S1’s plan to make a decision 65 days prior to expiration (i.e., by May 18th), and State’s aim to provide a Secretary Tillerson recommendation to accompany their updated country conditions by NLT May 12. She invited us to join a sub-PCC on broader Haiti issues taking place tomorrow from 1-1:50, which we’re planning to attend to listen in on the broader discussion and provide the same update regarding where the Haiti TPS decision-making process stands to the extent the sub-PCC conversation touches on it. Wanted to share for your awareness.
Chief, International and Humanitarian Affairs Division
Department of Homeland Security/U.S. Citizenship and Immigration Services
Office of Policy and Strategy
Thanks!

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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Do we have an ETA for the Haiti option paper for S1? I’m fine sending that up without the Tillerson letter with the understanding that it might be coming at a later date (mid-April).

USCIS met with DHS/HQ Front Office staff yesterday to discuss Haiti’s TPS designation. During that meeting, noting that the current recommendation is from former Secretary Kerry and given the change in administration, they requested that we seek an updated Department of State
recommendation under current leadership. Copied are Secretary Kelly’s Senior Counselor, [Redacted] and Deputy Chief of Staff, [Redacted], who can follow up with State counterparts on this request as necessary.

With regard to timing, our aim is for Secretary Kelly to be able to make a decision by mid-April to facilitate FRN publication by not later than May 23. So your assistance in providing State’s current position on Haiti’s TPS designation on an expedited track is appreciated.

Thank you for your assistance. As always, we greatly appreciate State’s consultation in our TPS decision-making process.

[Redacted]

Chief, International and Humanitarian Affairs Division
Department of Homeland Security/U.S. Citizenship and Immigration Services
Office of Policy and Strategy

(b)(6)
Hey — it should go into EXSO clearance tomorrow morning so OCC and SCOPS can review and then it will get to you, I imagine, by the end of the week. Adding

Thanks,

Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Thank you for your assistance. As always, we greatly appreciate State’s consultation in our TPS decision-making process.

Chief, International and Humanitarian Affairs Division
Department of Homeland Security/U.S. Citizenship and Immigration Services

(b)(6) Office of Policy and Strategy
I added two bullets and will send this up now.

- **Haitian Government Will Build 2,000 Homes:** On November 3, 2017, the Government of Haiti implemented a $15 million program to build social housing for the victims of Hurricane Matthew. Construction has already begun in Fond Rouge. This project will ensure that those directly affected by Hurricane Matthew are taken care of, thus allowing the government to focus its attention on integration efforts of TPS beneficiaries ahead of their potential return.

- **Staff-Monitored Program for Development:** On October 12, 2017, a delegation of the Republic of Haiti and the Governor of the Central Bank held discussions with leaders of multilateral and bilateral institutions involved in development efforts in Haiti. The Government of Haiti and the International Monetary Fund committed to a six-month Staff-Monitored Program, under which fiscal policy will focus on mobilizing domestic revenue to accommodate needed increases in public investment. These efforts also include implementation of key reforms in the energy sector; health, education, and social services; and infrastructure. While not exclusively being done for TPS reintegration efforts, it is an example of the efforts and resources they’re putting into their economy that will inevitably help the population. More information about this initiative can be found here: [https://www.imf.org/en/News/Articles/2017/10/12/pr17398-meeting-of-the-government-of-haiti-with-development-partners](https://www.imf.org/en/News/Articles/2017/10/12/pr17398-meeting-of-the-government-of-haiti-with-development-partners)

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

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Subject: RE: Haiti TPS Action Steps

Suggested edits in the attached.

From: Nuebel Kovarik, Kathy  
Sent: Wednesday, November 15, 2017 7:56 AM  
To: Cissna, Francis;  
CC:  
Subject: RE: Haiti TPS Action Steps  
(b)(6)

Absolutely. We have a document ready for you, but Francis wanted to review this morning. And, I just reached out to State to make sure I didn’t miss anything that they were aware of. We’ll have something to Amb. Nealon today.

Kathy Nuebel Kovarik  
Chief, Office of Policy and Strategy  
U.S. Citizenship and Immigration Services  

Reflected to Department of Homeland Security
Great, thanks. I plan to call DOS after the 11:00 White House meeting. If you could let me know any concerns before noon that'd be great.

James W. McCament  
Acting Director  
Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Washington, DC 20529-2150

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Referred to Department of Homeland Security

From: McCament, James W  
Sent: Friday, May 19, 2017 9:34 AM  
Subject: Haiti TPS Announcements

Good morning all,

Just an fyi that I’ll be meeting with our folks this afternoon at 1:00 to iron out the communications (OCOMM/OLA/Public Engagement) strategy for next week. Following on the mention to S1 this morning, I also intend to call DOS this afternoon and advise of S1’s decision noting that it is not yet public.
I do plan to ask for their normal course of communications on these things and, if possible, not advise the Haitian Government until Monday/early next week. To allow for the FRN to be processed and our own USG communications to proceed and not be preempted by a Haitian government announcement. Please let me know if any concerns with that approach?

Thanks gentlemen,

James

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Deputy Director’s Office

(b)(6)

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From: Renaud, Tracy L
Sent: Friday, August 4, 2017 6:16 PM
To: McCament, James W
       Nuebel Kovalik, Kathy
Subject: RE: Haiti TPS

We will get the team working it on Monday. Have a great weekend (if you actually get a day off from time to time).

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security
(desk)

(b)(6)

Referred to Department of Homeland Security
We don't have it but we can certainly run it. We will get working on it.
I have been asking some questions about the low number of re-reg applicants and below is what I received. It makes a bit more sense but the number who did not file is still extraordinarily high. The ~58k is the total number of individuals that ever had TPS and over time some would have opted out if they found other means to regularize or if they departed the US. The last re-reg resulted in ~46k who were actually still TPS recipients. With that clarification, the number that have not filed is closer to ~12k. More detail from our SME below.

Tracy,

In follow up to your question this afternoon, the expected number of TPS Haiti re-registrants for the current extension period was 46,000 (this figure is also reflected in the most recent FRN). The reason the total number of TPS Haiti beneficiaries (58,945) is not used is because the estimate is determined from previous filing trends. Historically, there is a gradual decrease in the overall population for each TPS country after a new extension period is announced. This is due to a variety of factors such as individuals who may have adjusted status, departed the U.S., etc.

That being said, the number of TPS Haiti re-registrants for the current extension period is significantly lower when compared to prior extension periods. Please see additional information below which compares the current extension to the two previous periods (note this would include late re-registrations but my team doesn’t believe this to be a significant number):

- 2017 Extension Period (current)
  - Estimated: 46,000
  - Actual to date: 33,672
  - Difference: 12,328

- 2015 Extension Period
  - Estimated: 50,000
  - Actual: 46,000
  - Difference: 4,000

- 2014 Extension Period
  - Estimated: 51,000
  - Actual: 50,000
  - Difference: 1,000

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
The number of individuals who have filed for re-registration in the most recent re-registration period (May 24, 2017 to July 24, 2017) is 33,672. The number of individuals that were approved for Haiti TPS prior to May 24, 2017 is 58,945. Just to do the math for you, that means 25,273 did not file for re-registration during the designated timeframe.

In addition, as of July 31, 2017 below is information regarding filings for other immigration benefits by individuals who previously held Haiti TPS:

Since the July 25 report, there have been 123 more matches in the most recent extension period.

Here is a brief explanation of our procedure to determine the rate of Haitian TPS recipients applying for LPR status:

- For the 58.9K beneficiaries, search for any I-130, I-140, I-360, or I-485 that was filed on or after Jan 21, 2010 (initial TPS Haiti designation date) by matching the A-number on the I-821 TPS application with the beneficiary A-number on the immigrant petition or I-485.
- For each matching A-number, find the earliest receipt date if there is a multiple match.
- To estimate the if there is a upward trend since the May 24, 2017 FRN publication, determine the number of weeks between each of the previous FRN publication dates, then calculate the average number of individuals filing per week in each re-registration period.

The following table and graph demonstrate a recent increase in applications / petitions in the current
6-month registration period, but also an increase in December 2016, preceding the fee increase.

Number of individuals with Approved TPS from Haiti as of May 23, 2017 who were the beneficiary of an immigrant petition (I-130, I-140, or I-360) or filed an I-485

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</tr>
<tr>
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<td>Extension - 6 Months</td>
<td>1,253</td>
<td>128</td>
<td></td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td></td>
<td><strong>16,418</strong></td>
<td><strong>42</strong></td>
<td></td>
</tr>
</tbody>
</table>

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

Referred to Department of Homeland Security
James,

We reached out to [ REDACTED ] (Director for Latin America/Caribbean Affairs) to fill him in on the call with Ambassador Merten yesterday and see if his office would prefer to do the initial outreach to Ambassador Altidor to set up a call on Thursday or Friday (to follow Ambassador Merten’s meeting with Ambassador Altidor on Wednesday). David recommended that USCIS go ahead and set up the call, since we’ve been engaged on the issue already. He offered DHS Policy’s support and participation in the call, and we said we’d keep him in the loop as it gets scheduled.

Great thanks much.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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Thank You.

Sure thing. Will do and circle back.

Thanks for looking into this and for the detailed summary of outreach efforts. I'm glad to see the communication steps we have been taking already. In particular the web alert posting timing should work fine.

That said, can you please reach to DHS International to advise on the discussion with DOS and see if they wish to make the approach to the Foreign Minister or for us? We can then discuss with Gene regarding who should conduct the call.

Thanks!

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC  20529-2150

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(b)(6)
Subject: Haiti TPS Outreach on Travel Docs

James,

We have checked with CSPED and OCOMM counterparts on public outreach highlighting the conclusion of Haiti’s TPS re-registration period on July 24 and using that as a vehicle to underscore the directive to get nationality documents in order. As noted, SCOPS has been providing that instruction individually to re-registrants upon their filing. OCOMM is clearing a Web Alert now that includes this same language (see below) to be posted by COB Wednesday (i.e., before the planned Thurs. or Fri. call with the ambassador). Additionally, we’re working with CSPED to disseminate the same language through its list on a similar timeline. Finally, OCOMM is folding the point about getting documents in order into live Haitian radio shows its scheduled to participate in tonight and tomorrow in Miami and Tampa, respectively. We are looking into whether there may be opportunities to do the same in other localities beyond these.

Haiti TPS beneficiaries with no other immigration status are encouraged to prepare for their return to Haiti in the event Haiti’s designation is not extended again. This preparation includes TPS beneficiaries ensuring they have current, valid Haitian nationality documentation issued by the Government of Haiti (such as a passport) that will allow them to return to Haiti. Beneficiaries are encouraged to contact a Haitian consulate to assist in obtaining updated nationality documentation.

(b)(6)
Good to hear. Thanks Carl.

James W. McCament  
Acting Director  
Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Washington, DC 20529-2150

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It’s actually with OCC now since Policy and SCOPS are finished with it. I called[redacted] and asked him to push it through.

Thanks for tracking down the latest status. Once our policy folks are finished I would like to (very quickly) see their passback as it goes en route back to DHS.

James
Washington, DC 20529-2150

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From:  
Sent: Monday, April 24, 2017 1:44:25 PM  
To: Hamilton, Gene; McCament, James W  
Subject: RE: Haiti TPS Package  

(b)(6)

As discussed, the entire package went up to DHS about 10 days ago. OGC made comments and passed it back to USCIS. USCIS Policy is working on this now. I’ve asked them to finish up by tomorrow, although perhaps I am being unreasonable as I have no idea how extensive OGC’s comments are. I’ll try to get a better idea of where this stands this afternoon.

Referred to Department of Homeland Security
Referred to Department of Homeland Security
Referred to Department of Homeland Security
Executive Secretary
U.S. Department of Homeland Security

(b)(6)

"ESEC: Excellent Service Endless Commitment"
Thanks let's discuss further tomorrow once you and have discussed. Great idea to ensure our consistency of messaging.

Thanks all,

James

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Hi

We're happy to take the lead on developing a template. I'll give you a call tomorrow to discuss my initial thoughts to be sure they are aligned with the ask. Enjoy your evening!

Referred to Department of Homeland Security
We just got off – hopefully you got on. Maybe we tied up a line? We’ll talk to you afterward, James.

Thanks Kathy and thanks [redacted] Just picking this up. [redacted] hanks for the good summary. It is very helpful. You’re right that much of this track la what AS Merten passed along to me. The additional information from the Charge discussion and technological parameters is interesting. I’ll be interested to know, regarding communication, how actively they are working with the local US advocacy organizations/including the churches. Given they are helping get the word out on re registration which seems historically comprehensive.

Thanks again.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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James – [redacted] provided a good update below, and we’ll be in listen mode on your call today when you’re in the car.
It doesn’t appear that there’s been any movement. I throw out the suggestion of having James call someone at State asking for an update to keep sounding that drum.

Thanks Kathy!

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

desk

FYI from State

Referred to U.S. Department of State
Hi,

We understand that Secretary Kelly is interested to know what steps, if any, the Haitian government has taken since the announcement of the 6-month extension of TPS to assist its nationals in obtaining travel documents and otherwise preparing for their return to Haiti in the event Haiti's TPS designation is not extended again. Could you inquire internally to help us determine whether the Haiti desk or Post is aware of any actions the Haitian government has taken in this vein? We expect Secretary Kelly to inquire about this on Monday morning, so any info you can gather by then would be helpful. Thanks!
Tracy,

We will work with OPQ on this.

[Redacted]

[Redacted]

[Redacted]

I liked the detailed info regarding Haiti TPS. Can we replicate for the other TPS countries (especially given that we will have a number of decisions that AS1 will need to be making in the next several months). I’ve attached the chart that OP&S shared with me last week that outlines all the countries – we only need data for those that are still active which are in the first section.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

Referred to Department of Homeland Security
We don't have it but we can certainly run it. We will get working on it.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security
(desk)
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Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
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<tr>
<td><strong>Grand Total</strong></td>
<td></td>
<td><strong>16,418</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Tracy L. Renaud  
Acting Deputy Director  
US Citizenship & Immigration Services  
Department of Homeland Security

(b)(6) [Redacted]

Referred to Department of Homeland Security
Thanks.

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I would hold. We may have an announcement early next week.

Do you know when this decision is being made? I’m reviewing letters that say AS1 needs to make a decision by 11/23. Depending on the timing, it may make sense for me these to hold them, rather than continue the clearance process as written. Thanks.
I don’t think that’s an unreasonable read at all, (b)(6).

Also, here is the draft decision memorandum for S1. Similar to the country report I sent earlier, this is just the draft that’s currently stuck on my desk waiting for clearance. It has not been approved by me or (b)(6).

After our meeting, USCIS leadership could decide to change this decision memorandum to recommendation termination. That would save you the effort of writing a briefing memo for S1. However, if USCIS leadership wants to send up its package recommending an 18-month extension, then your memo might be needed to counter the recommendation by USCIS leadership.

(b)(6)

Referred to Department of Homeland Security
Thanks again for all that y’all do,

(b)(6)

From:
Sent: Sunday, March 19, 2017 5:42 PM
To:
Cc: Nuebel Kovarik, Kathy
Subject: RE: Haiti TPS

In preparation for next week’s meeting, attached is a chart which summarizes all of the TPS programs.

Specific to Haiti, attached is a USCIS-created report on Haiti country conditions. This is part of the package currently with USCIS leadership suggesting that Haiti’s TPS be extended for 18 months.

As the report confirms, virtually all of these challenges – from political instability to food security – are long-standing, intractable problems. Issues related specifically to the 2010 earthquake, however, have been largely addressed. For example, 98% of the housing sites for people displaced by the earthquake have closed.

That being said, all of the problems caused by the earthquake are not necessarily solved (nor need they be to have TPS terminated), and a recent hurricane has caused new problems in Haiti, although not severe enough for DOS or USCIS to suggest redesignation. In fact, as you know, ICE resumed removals to Haiti last year because of the improving situation.

If you should need additional information before the TPS meeting, please let me know.

(b)(6)

Referred to Department of Homeland Security
next steps.

---

From: [Email Address]
Sent: Monday, March 13, 2017 3:15:25 PM
To: [Email Address]
Cc: Nuebel Kovarik, Kathy
Subject: Haiti TPS

I’m currently reviewing the TPS extension paperwork for Haiti. Haiti’s current TPS designation expires on July 22, 2017. The USCIS Policy Office has proposed that this designation be extended for the full 18 months. This affects a limited group of approximately 59,000 Haitians who have been in the United States since 2011. Haitians arriving after that would not qualify.

(b)(5)

I have a few thoughts/concerns I felt should be elevated and considered before moving forward:

(b)(6)

If you all concur, I’ll meet with [Email Address] although it’s ultimately her call what’s sent up to DHS by USCIS for consideration.
We recently did a 6-month extension for west African countries, but that’s because we are ending the program.

If USCIS sends this up as an 18-month extension, the next stop is DHS OGC. It needs to be out of DHS and at OMB by April 22\textsuperscript{nd} to meet out publication deadline of May 23\textsuperscript{rd} (60 days prior to expiration of TPS).
By when do you need this Tracy? We may be able to get TPS renewal data this weekend if urgently needed but not the other filing data.

SCOPS and OPO-- can you guys pull together whatever data we can gather to address question below?

Tracy L. Renaud  
Acting Deputy Director  
US Citizenship & Immigration Services  
Department of Homeland Security
This is most helpful. Thanks.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

Tracy,

The most recent number of Haitians approved for TPS is 58,945. Note that this statistic applies to persons who were approved for TPS prior to May 24, 2017, the most recent reregistration date, and did not have a subsequent TPS denial after an approval. The current re-registration period is from May 24, 2017 to July 24, 2017. The figures below will change as more beneficiaries apply for TPS during the latest re-registration window. As of July 12, 2017:

- 24,777 have filed for re-registration
- 34,168 have not filed for re-registration

Additionally, there are 672 beneficiaries who have applied for TPS since May 24, 2017 who fall outside of the 58,945 population listed above.

- 18 are beneficiaries applying for late initial registration
- 654 are beneficiaries applying for re-registration who are not within the 58,945 population.
- 124 of the 654 had their most recent TPS application denied
- The remaining 530 may have A-number mismatch issues or were possibly improperly filed

**Beneficiaries seeking some other status**

The following list provides the status of the 58,945 beneficiaries with approved TPS prior to May 24, 2017. By matching A-numbers when available to the Central Index System and CLAIMS3 receipts for immigrant petitions (I-130, I-140, and I-360) and adjustment of status (I-485) filed after January 21, 2010 (the date of initial TPS Haiti designation), we find:

- 8,623 have an immigrant status (based on the Central Index System)
• 1,107 are U.S. Citizens (based on the Central Index System)
• 5,783 have filed an I-485 since January 21, 2010 but do not have immigrant or U.S. Citizenship status
• 4,024 are the beneficiaries of an immigrant petition (I-130, I-140, or I-360) filed since January 21, 2010, but have not applied for an I-485
• 39,408 were not included in the above categories. They have no record of LPR or U.S. citizenship status, and no record of being the beneficiary of an immigrant petition since January 21, 2010, and no record of an I-485 filed since January 21, 2010. Matching was performed based on A-numbers. Note that some of these 39,408 TPS re-registrants may have applied filed for immigrant or nonimmigrant status but we cannot determine whether they have or not due to the lack of A-numbers in some petition data (see note below).

Note: All TPS applicants have A-numbers, but not all petition records have A-numbers. Form I-130 does not require an A-number for data entry; therefore, some of the approved TPS beneficiaries may have an I-130 filed on their behalf that was not identified in the figures above. In addition, nonimmigrant petitions do not require an A-number and are excluded from the matching.

Please let me know if you have any questions.

Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

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From: Renaud, Tracy L
Sent: Saturday, July 08, 2017 10:06 AM
To: Neufeld, Donald W;
Cc: Nuebel Kovarik, Kathy; McCament, James W
Subject: FW: Haiti

(b)(6)

SCOPS and OPQ-- can you guys pull together whatever data we can gather to address question below?

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

Referred to Department of Homeland Security
James,

Please see the updated table below. Since the July 17 report, there have been 136 more matches in the most recent extension period.

Here is a brief explanation of our procedure to determine the rate of Haitian TPS recipients applying for LPR status:

- For the 58.9K beneficiaries, search for any I-130, I-140, I-360, or I-485 that was filed on or after Jan 21, 2010 (initial TPS Haiti designation date) by matching the A-number on the I-821 TPS application with the beneficiary A-number on the immigrant petition or I-485.
- For each matching A-number, find the earliest receipt date if there is a multiple match.
- To estimate the if there is a upward trend since the May 24, 2017 FRN publication, determine the number of weeks between each of the previous FRN publication dates, then calculate the average number of individuals filing per week in each reregistration period.

The following table and graph demonstrate a recent increase in applications / petitions in the current 6-month registration period, but also an increase in December 2016, preceding the fee increase.

Number of individuals with Approved TPS from Haiti as of May 23, 2017 who were the beneficiary of an immigrant petition (I-130, I-140, or I-360) or filed an I-485

<table>
<thead>
<tr>
<th>FRN Date</th>
<th>Type</th>
<th>Count of Persons</th>
<th>Avg. Persons per Week</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/21/2010</td>
<td>Initial Designation - 18 Months</td>
<td>2,321</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>5/19/2011</td>
<td>Extension and Re-designation - 18 Months</td>
<td>2,441</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>10/1/2012</td>
<td>Extension - 18 Months</td>
<td>2,075</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>8/25/2015</td>
<td>Extension - 18 Months</td>
<td>5,471</td>
<td>60</td>
<td>Fee Increase in Dec 2016</td>
</tr>
<tr>
<td>5/24/2017</td>
<td>Extension - 6 Months</td>
<td>1,130</td>
<td>126</td>
<td></td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td></td>
<td><strong>16,295</strong></td>
<td><strong>42</strong></td>
<td></td>
</tr>
</tbody>
</table>

Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services
From: McCament, James W
Sent: Monday, July 24, 2017 7:46 PM
To: Renaud, Tracy L
Cc: Nuebel Kovalik, Kathy; Neufeld, Donald W
Subject: RE: Haiti

Thanks Mike, that will be fine. It will be good to have the snapshot tomorrow to which we can add. Thanks!

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(Deputy Director’s Office)

We will run it tomorrow but we suspect some of the filings near the TPS deadline won't be in the system yet. We can always rerun it in a few days.

Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services
Hi and all,

Thanks all for running the numbers last week regarding re-registration. With closure of the re-registration period, can you all please provide updates to the data you provided last week regarding activity of folks applying for other than TPS benefits? We need tomorrow if at all possible.

Thanks!

James

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Deputy Director’s Office

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Hi Tracy - Please see the updated table. Since the Friday report, there have been 36 more matches in the most recent extension period.

Here is a brief explanation of our procedure to determine the rate of Haitian TPS recipients applying for LPR status:

- For the 58.9K beneficiaries, search for any I-130, I-140, I-360, or I-485 that was filed on or after Jan 21, 2010 (initial TPS Haiti designation date) by matching the A-number on the I-821 TPS application with the beneficiary A-number on the immigrant petition or I-485.
- For each matching A-number, find the earliest receipt date if there is a multiple match.
To estimate the if there is a upward trend since the May 24, 2017 FRN publication, determine the number of weeks between each of the previous FRN publication dates, then calculate the average number of individuals filing per week in each reregistration period.

The following table and graph demonstrate a recent increase in applications / petitions in the current 6-month registration period, but also an increase in December 2016, preceding the fee increase.

Number of individuals with Approved TPS from Haiti as of May 23, 2017 who were the beneficiary of an immigrant petition (I-130, I-140, or I-360) or filed an I-485

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<td>60</td>
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</tr>
<tr>
<td>5/24/2017</td>
<td>Extension - 6 Months</td>
<td>967</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>Grant Total</td>
<td></td>
<td>16,132</td>
<td>41</td>
<td></td>
</tr>
</tbody>
</table>

DHS would like to have the data re-run as of today to see what activity we’ve seen in the last few days since you ran it. They would also like it run again at the end of the re-registration period. Can you guys please get someone working the re-run for today ASAP? Thanks so much!

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security
(b)(6)

From: Renaud, Tracy L
Sent: Monday, July 17, 2017 11:57 AM
To: Neufeld, Donald W; McCament, James W; Nuebel Kovarik, Kathy
Cc: (b)(6)
Subject: RE: Haiti

(b)(6)
Tracy,

Here is a brief explanation of our procedure to determine the rate of Haitian TPS recipients applying for LPR status:

- For the 58.9K beneficiaries, search for any I-130, I-140, I-360, or I-485 that was filed on or after Jan 21, 2010 (initial TPS Haiti designation date) by matching the A-number on the I-821 TPS application with the beneficiary A-number on the immigrant petition or I-485.
- For each matching A-number, find the earliest receipt date if there is a multiple match.
- To estimate the if there is a upward trend since the May 24, 2017 FRN publication, determine the number of weeks between each of the previous FRN publication dates, then calculate the average number of individuals filing per week in each reregistration period.

The following table and graph demonstrate a recent increase in applications / petitions in the current 6-month registration period, but also an increase in December 2016, preceding the fee increase.

Number of individuals with Approved TPS from Haiti as of May 23, 2017 who were the beneficiary of an immigrant petition (I-130, I-140, or I-360) or filed an I-485

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<td>5/24/2017</td>
<td>Extension - 6 Months</td>
<td>931</td>
<td>123</td>
<td></td>
</tr>
<tr>
<td><strong>Grant Total</strong></td>
<td></td>
<td><strong>16,096</strong></td>
<td><strong>41</strong></td>
<td></td>
</tr>
</tbody>
</table>

The attached graph shows the data by month (excluding the incomplete month of July) and clearly demonstrates the recent increases starting in March, following an increase in December associated with the fee rule.

(b)(6)

Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

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From: Renaud, Tracy L
Sent: Friday, July 14, 2017 10:43 AM
To: Neufeld, Donald W;
Cc: Nuebel Kovarik, Kathy; McCament, James W
Subject: RE: Haiti

I think this is fine since we will be comparing apples to apples even if there is some imperfection in the information. Thanks very much.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

From:
Sent: Friday, July 14, 2017 10:15 AM
To: Renaud, Tracy L; Neufeld, Donald W;
Cc: Nuebel Kovarik, Kathy; McCament, James W
Subject: RE: Haiti

Tracy,

I think the only way to do this is to look at windows on monthly petitions (I-130, I-140, I-360) and I-485 applications so the numbers may be look different than previously provided. Also, as we indicated, we don’t have all the information on I-130 petitions because beneficiary A-number is not consistently collected. The data provided yesterday are hierarchal so the 8,623 LPRs may show up in the I-130 or I-485 counts in what we propose to answer his question. I think this is the best we can do to identify the pace in applications pre- and post-announcement.

We’ll proceed with this plan unless I hear otherwise.

Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

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dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Renaud, Tracy L
Sent: Friday, July 14, 2017 9:39 AM
To: Neufeld, Donald W;
Cc: Nuebel Kovarik, Kathy; McCament, James W
Subject: RE: Haiti

(b)(6)

Mike,

Thanks for working this issue for us. This morning, the Secretary refined the question a bit and asked whether we are seeing more Haitians pursue other avenues of regularizing their status through means other than TPS since the most recent announcement was made that there would be only a 6-month extension with an indication that they should use that time to make plans for their return to Haiti. For those indicated below as seeing other status, can you parse those out between pre- and post-announcement and see if there are any upward trends?

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security
(b)(6)

From: Wednesday, July 12, 2017 5:30 PM
Sent: Wednesday, July 12, 2017 5:30 PM
To: Renaud, Tracy L;
Cc: Nuebel Kovarik, Kathy; McCament, James W
Subject: RE: Haiti

Tracy,

The most recent number of Haitians approved for TPS is 58,945. Note that this statistic applies to persons who were approved for TPS prior to May 24, 2017, the most recent reregistration date, and did not have a subsequent TPS denial after an approval. The current re-registration period is from May 24, 2017 to July 24, 2017. The figures below will change as more beneficiaries apply for TPS during the latest re-registration window. As of July 12, 2017:

- 24,777 have filed for re-registration
- 34,168 have not filed for re-registration

Additionally, there are 672 beneficiaries who have applied for TPS since May 24, 2017 who fall outside of the 58,945 population listed above.

- 18 are beneficiaries applying for late initial registration
- 654 are beneficiaries applying for re-registration who are not within the 58,945 population.
- 124 of the 654 had their most recent TPS application denied
• The remaining 530 may have A-number mismatch issues or were possibly improperly filed

Beneficiaries seeking some other status

The following list provides the status of the 58,945 beneficiaries with approved TPS prior to May 24, 2017. By matching A-numbers when available to the Central Index System and CLAIMS3 receipts for immigrant petitions (I-130, I-140, and I-360) and adjustment of status (I-485) filed after January 21, 2010 (the date of initial TPS Haiti designation), we find:

• 8,623 have an immigrant status (based on the Central Index System)
• 1,107 are U.S. Citizens (based on the Central Index System)
• 5,783 have filed an I-485 since January 21, 2010 but do not have immigrant or U.S. Citizenship status
• 4,024 are the beneficiaries of an immigrant petition (I-130, I-140, or I-360) filed since January 21, 2010, but have not applied for an I-485
• 39,408 were not included in the above categories. They have no record of LPR or U.S. citizenship status, and no record of being the beneficiary of an immigrant petition since January 21, 2010, and no record of an I-485 filed since January 21, 2010. Matching was performed based on A-numbers. Note that some of these 39,408 TPS re-registrants may have applied filed for immigrant or nonimmigrant status but we cannot determine whether they have or not due to the lack of A-numbers in some petition data (see note below).

Note: All TPS applicants have A-numbers, but not all petition records have A-numbers. Form I-130 does not require an A-number for data entry; therefore, some of the approved TPS beneficiaries may have an I-130 filed on their behalf that was not identified in the figures above. In addition, nonimmigrant petitions do not require an A-number and are excluded from the matching.

Please let me know if you have any questions.

Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

(b)(6)

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From: Renaud, Tracy L
Sent: Saturday, July 08, 2017 10:06 AM
SCOPS and OPQ-- can you guys pull together whatever data we can gather to address question below?

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

Referred to Department of Homeland Security
Thanks I think that's a good point. I was just writing the same along with the additional points. If the Secretary is inclined, beyond point regarding the delegation, this would also be an opportunity for 1) S1 to reiterate personally his message regarding the need for document readiness (which is a new addition to the TPS announcements) and 2) an emphasis on how serious we are regarding the announced process and timeline.

Historically, this community is particularly slow on registering until the last minute. While it is not a USCIS/DHS responsibility to ensure folks re-register, nonetheless his presence could also focus the message (at the start of the process) of the seriousness of the Department regarding the obtaining of travel documents. With that message from S1 directly at the beginning, this could increase the rightful emphasis to the community to act now. A message which could then be re-emphasized with the Haitian government?

James W. McCament
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Referred to Department of Homeland Security
Good Morning,

EXSO will be sending it shortly electronically for Director's Office clearance.

Thank you, all. We just submitted to EXSO, so I'll defer to [Redacted] on implementing electronic review from here. Thanks again!

Thanks, Kathy. Yes, Mr. McC has pen will sign-following D1 review/concurrence.
James W. McCament  
Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
(Deputy Director's Office)  

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From: Nuebel Kovarik, Kathy  
Sent: Friday, December 01, 2017 11:13 AM  
To: McCament, James W  
Subject: RE: Heads-up: TPS Haiti FRN  

Thanks, □ He does want to review electronically and has asked D2 to sign off in his absence after he reviews, if that's possible. Adding Mr. McC.

From: □  
Sent: Friday, December 01, 2017 10:41:15 AM  
To: Nuebel Kovarik, Kathy  
Subject: Heads-up: TPS Haiti FRN  

Good Morning All,

Just a heads-up that the RCD team will be sending the Federal Register Notice for TPS Haiti to EXSO in the next 1-2 hours. They are currently working with others to consolidate all the edits and responses from the G-1056 review that occurred yesterday and earlier this morning. Please note that we have been informed that D1 wants to see the FRN today so that he can review and approve for DHS submission as soon as possible, so I wanted to make sure to put this on your radar. I recognize he's on travel, so I'm assuming that he will be reviewing electronically (?).

The email will be sent from the USCISRegs mailbox, as usual.

Please let me know if you have any questions or concerns. Again, this is just a heads-up notification for you.

Thanks,
(b)(6)

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From: [Redacted]
To: [Redacted]
Subject: RE: Hey Carl - I forgot to ask - are you still reviewing the Haiti TPS extension?
Date: Friday, March 17, 2017 10:51:43 AM

We should make sure that [Redacted] is on the invite (and maybe [Redacted]).

Thanks,

(b)(6)

Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: [Redacted]
Sent: Thursday, March 16, 2017 4:48 PM
To: [Redacted]
Subject: RE: Hey Carl - I forgot to ask - are you still reviewing the Haiti TPS extension?

Yes, although I’m hoping that we can get the TPS report into concurrence and share that with DHS, too.

From: [Redacted]
Sent: Thursday, March 16, 2017 4:47 PM
To: [Redacted]
Subject: RE: Hey Carl - I forgot to ask - are you still reviewing the Haiti TPS extension?

Ok - thanks- did that chart we sent yesterday help?
We’re going to have a big meeting at DHS next week on TPS, similar to the parole meeting. Stay tuned.

Thanks,

Acting Chief
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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This letter is revised to address [redacted] recommendations. Please let us know if we can do anything else. Thank you!

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Direct: [redacted] (b)(6)
Cell: [redacted] (b)(6)

Referred to Department of Homeland Security

Agree that amendment makes sense at this point. We had asked State for their input on Sudan by July 1, but spoke with our working level colleagues last week, and they informed us that the package is close to going to Secretary Tillerson's office, but hasn't been submitted yet.
That’s okay, no rush today. We may want to slightly amend the letter to say “as soon as possible” versus a date since it has passed.

Kathy, [Name redacted] is traveling today so I’m not sure when he will have a chance to review this but we will follow up with him. One question - do we need to amend the date for Sudan? Apologies if I am not in the loop on previous discussions regarding that date.

Regards,

I am reaching out to share a draft letter (attached) that we propose Secretary Kelly send to Secretary Tillerson to formally request his recommendation and State Department input on upcoming Temporary Protected Status designations.

The reason we are proposing Secretary Kelly send this letter is because our colleagues at State have shared that in order to facilitate State’s, and, specifically, Secretary Tillerson’s input into DHS’ TPS review process, it’s best if Secretary Tillerson directly receives a written request from DHS. This is a departure from past practice – such requests have historically been made informally at the USCIS-State working level via e-mail – but we do not see any great downside to formalizing, and elevating
the level of, the request. There may even be an advantage in ensuring Secretary Tillerson’s visibility into and commitment to the TPS consultative process. To avoid sending a separate written request for each country, we have drafted a single letter making an overarching request for State’s recommendations and laying out the upcoming TPS review schedule. This bundled approach helps ensure Secretary Tillerson and his staff are fully apprised of all of the TPS designations coming up for review and our preferred timeline for receiving their input.

Again, the draft letter is attached for your review. Please let us know if you agree with the proposed course and, if so, how we can best help push this forward.

Thanks.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

(b)(6)
Thanks I do have this printed out for today’s meeting.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Thanks for sharing this. We just received it from our State PRM colleagues, as well. James, they asked that we make sure you had it prior to your call with WHA on Haiti TPS this morning.

Adding as well.
Senior Advisor
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From:

Sent: Friday, May 05, 2017 8:56 AM

To:

Cc:

Subject: RE: Meeting Request for Haitian Foreign Minister Antonio Rodrigue with Secretary Kelly and TPS Extension Request

Thank you so much for passing this along. I’m adding colleagues in our FO and in the Office of Policy and Strategy for their awareness and thoughts.

Referred to U.S. Department of State
PLCY is preparing a scheduling request and working with the Ambassador on availability in case the Secretary wants to take the meeting, however, we recommend PLCY and USCIS take the meeting instead.

Referred to Department of Homeland Security

From: McCament, James W
Sent: Friday, May 5, 2017 9:12 PM
To: McCament, James W; Juebel Kovarik, Kathy
Subject: RE: Meeting Request for Haitian Foreign Minister Antonio Rodrigue with Secretary Kelly and TPS Extension Request

All,

Closing the loop on today’s call with DOS, which was fairly brief. The acting A/S for PRM (Simon Henshaw) and acting PDAS for WHA Ken Merten were on the call with the conversation principally between the 3 of us. [请多加注意] please chime in if I’ve missed any points.

Below are the key points:
1. DOS provided a TPS recommendation to their Secretary’s office on Tuesday May 2 requesting a decision by Friday May 12th; 
2. I noted that if a decision is made by then and transmitted to S1, I believe, but cannot assure, he would receive and consider—but that May 22nd is rapidly approaching so the sooner a recommendation is received the better; 
3. DOS noted they were recommending a 12 month extension of TPS but noted they cannot speak for what their Secretary may decide; 
4. Acknowledged to DOS that DHS had received the letter from the Ambassador and corollary email chain requesting a meeting between S1 and the Foreign Minister (I note in my below email I incorrectly referred to the meeting as being requested between the Ambassador and S1); 
5. DOS asked (b)(6) of DHS Policy was their poc for coordinating this possible meeting and I said we assumed so unless they heard otherwise from DHS Policy; 
6. I emphasized that we cannot speak for S1’s schedule but David, or another poc, would likely be in touch with DOS counter parts to discuss further; 
7. PRM flagged both El Salvador and Honduras TPS coming up for decision soon and asking if they would follow the regular consultative process. I said yes that we would follow the process as was also attempted to be done during this round by our staff; 
8. Finally, we discussed setting up a follow-on status call next Thursday to determine the latest status of the Secretary of State’s review and consideration of the recommendation. 

Let us know if you have further questions or need more information.

Thanks all,

James

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Deputy Director’s Office

(b)(6)

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From: McCament, James W
Sent: Friday, May 05, 2017 11:00 AM
To: Nuebel Kovarik, Kathy;
Subject: FW: Meeting Request for Haitian Foreign Minister Antonio Rodrigue with Secretary Kelly and TPS Extension Request

Good morning all,

FYI: flagging this letter received this AM from the Haitian Ambassador formally requesting an extension of TPS and stay of deportations. (Received through DHS Policy so I know it will be flagged separately to you all as well). Noting that in the below email chain there is a request from DOS to set up a meeting between the Haitian Ambassador and S1 next week.

I have an 11:00 call with DOS-WHA to follow on last week’s call (summary attached). We’ll let you know of further feedback and will advise that the request has been received.

Thank you,

James

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Deputy Director’s Office

(b)(6)

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From: [redacted] (b)(6)
Sent: Friday, May 05, 2017 9:46 AM
To: [redacted]
Cc: [redacted] Nuebel Kovarian, Kathy; [redacted] McCament, James W;
Subject: RE: Meeting Request for Haitian Foreign Minister Antonio Rodrigue with Secretary Kelly and TPS Extension Request

Thanks for sharing this. We just received it from our State PRM colleagues, as well. James, they asked that we make sure you had it prior to your call with WHA on Haiti TPS this morning.

From: [redacted] (b)(6)
Sent: Friday, May 05, 2017 9:06:21 AM
To: [redacted]
Cc: [redacted] Nuebel Kovarian, Kathy; [redacted] McCament, James W;
They are inquiring about James’ availability.

Marineka

From:
Sent: Tuesday, December 05, 2017 3:00 PM
To:
Cc:
Subject: FW: Meeting with Haitian Embassy

FYSA

(b)(6)

From:
Sent: Tuesday, December 05, 2017 2:58 PM
To:
Subject: RE: Meeting with Haitian Embassy (b)(6)

Hi Q!
Hope all is well there – its super nice here – miss you all though 😊
The Director is scheduled to be in California on the 13th (he departs the 12th and returns the 15th).

Referred to Department of Homeland Security

From: (b)(6)
Sent: Tuesday, December 5, 2017 1:48 PM
Ambassador Nealon:

In light of the recent DHS decision regarding the TPS program for Haitian nationals, I am reaching out to seek a meeting to discuss the next steps. The Haitian government is committed to offer the necessary assistance to its citizens who are TPS recipients. There is a series of points that the Haitian government would like to address with DHS regarding the process forward. I welcome the opportunity to meet with you and/or other relevant actors within DHS with whom we can work. Are you available to meet next week? Would next Tuesday, December 12 at 11am work for you? Please let us know.

I thank you and look forward to speaking/meeting with you.

Regards,

Ambassador Altidor

--

Paul G Altidor
Ambassador of Haiti to the US
Washington, DC
Hi all,
(b)(6)

Just spoke to Kathy – we are good on our end(s) with this statement.

Referred to Department of Homeland Security
As we've discussed before, not all data elements collected on the form are ingested into our legacy systems. So, for any TPS case moving forward that is ingested into ELIS we should be able to run reports on how they answered any question on the form. For historical TPS that would have been ingested into CLAIMS 3 system, we would have to check form-field by form-field to see what we have available electronically. Given our backlogs I would be hesitant to dedicate a huge amount of man hours to a manual review of paper records to extract the info.
From: (b)(6)
Sent: Sunday, June 11, 2017 6:53:13 AM
To: McCament, James W.; Renaud, Tracy L.; Nuebel Kovalik, Kathy
Cc: 
Subject: RE: NBC on TPS Haiti

Thank you, James, and all for your help in clarifying.

I submit this as the final draft for use with NBC:

(b)(5)

Please let me know if I can be of further assistance.

Best regards,

(b)(6)

Deputy Chief, Media Relations Division
Office of Communications | U.S. Citizenship and Immigration Services
Thanks and thanks all. I've made just a couple of edits in the below to further clarify—hopefully.

In addition, for collective visibility, we did pull together last week an initial meeting of key, although not all, leadership to discuss how to best review and establish the framework of future data analytics and retention in keeping with SI's data philosophy. The working group will be headed by our Office of Performance and Quality with goals for these next months.

From this effort, as it comes together we will be able to better address the Secretary's data questions for TPS and other benefits. But that effort has just begun and will need to address some key operational questions before determining usage of data such as: whether this data and others is already collected elsewhere in our systems, whether new data fields are needed in our forms and our systems and how to best analyze the data itself.

All that said I've made edits in the below to not specifically call out the internal working group given its nascency:

Thanks all,

James

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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From: [Redacted]
Sent: Saturday, June 10, 2017 8:50:06 PM
To: McCament, James W;
Renaud, Tracy L; Nuebel Kovarik, Kathy
Cc: [Redacted]
Subject: RE: NBC on TPS Haiti

All -

To address [Redacted] question, I understand that a working group will begin after last week's initial meeting to discuss data collection and whether the requested information currently existed.

Best regards,

Deputy Chief, Media Relations Division
Office of Communications | U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
Office: [Redacted]
Mobile: [Redacted]

Referred to Department of Homeland Security
All,

Please see this draft statement that addresses Dave's earlier comments on the issue, as well as where the agency seems to be currently on the development of data collection that answers the request:

I welcome your feedback on this approach.
Best regards,

Deputy Chief, Media Relations Division
Office of Communications | U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
Office
Mobile

From: [Redacted]
Sent: Friday, June 09, 2017 7:44:48 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: NBC on TPS Haiti

Thanks, we are working it on a separate thread and will come back to this group w proposed response.

Ref: [Redacted]
Referred to Department of Homeland Security
It’s strong to quite strong. 😊

Thank you, Kathy. From reading the edited version I think this reads well.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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James,

Kathy shared with us that she was able to discuss the attached draft S1-Sec State TPS letter with you last Friday. Just resending it and accompanying draft missive (below) so you have them at the top of your inbox for easy reference. Assuming you're okay with the content/direction, let us know your preference on sending the material forward to Gene – i.e., you versus Kathy doing so. Thanks,

James,

Following up on your conversation with Kathy last week regarding State’s request for DHS to formally request their Secretary’s recommendation and input on TPS designations.
From: Neufeld, Donald W
To: McCament, James W; Renaud, Tracy L; Nuebel Kovarik, Kathy
Cc: 
Subject: RE: SECRETARY KELLY STATEMENT ON THE LIMITED EXTENSION OF HAITI'S DESIGNATION FOR TEMPORARY PROTECTED STATUS
Date: Monday, May 22, 2017 1:05:30 PM

Thanks, I had not seen it.

From: __________________ (b)(6)
Sent: Monday, May 22, 2017 2:01 PM
To: McCament, James W; Renaud, Tracy L; Neufeld, Donald W; Nuebel Kovarik, Kathy;
Cc: 
Subject: FW: SECRETARY KELLY STATEMENT ON THE LIMITED EXTENSION OF HAITI'S DESIGNATION FOR TEMPORARY PROTECTED STATUS

S1 statement below (in case you hadn’t seen it).

Referred to Department of Homeland Security
Great, do you want to come up and join me?

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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From: Nuebel Kovarik, Kathy
Sent: Thursday, May 18, 2017 4:24:56 PM
To: McCament, James W
Cc: Renaud, Tracy L
Subject: RE: SME's for for S2's TPS Briefing tomorrow...

I was invited to join that call, too. Sounds like the FRN is done and a decision is coming.

From: McCament, James W
Sent: Thursday, May 18, 2017 4:19 PM
To: Nuebel Kovarik, Kathy
Cc: Renaud, Tracy L
Subject: RE: SME's for for S2's TPS Briefing tomorrow...

Great, thanks Kathy. Can you ask Kathryn? FYI I've just received a meeting request from S1 to discuss Haiti TPS at 6 tonight. (With he and others).
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From: Nuebel Kovarik, Kathy  
Sent: Thursday, May 18, 2017 3:48:27 PM  
To: McCament, James W  
Cc: Renaud, Tracy L  
Subject: RE: SME's for for S2's TPS Briefing tomorrow...  

(b)(6)  
Please ask [Redacted] though I think [Redacted] will be out).

From: McCament, James W  
Sent: Thursday, May 18, 2017 3:29 PM  
To: Nuebel Kovarik, Kathy  
Cc: Renaud, Tracy L  
Subject: FW: SME's for for S2's TPS Briefing tomorrow...  

(b)(6)  
Hi Kathy, please see the below from S2's office. If you agree, Id suggest [Redacted] as the right SME to accompany?

Of course youre welcome to join but I know Francis' prep is until 5. (I'll be there 230 to just before 330 when I'll step out for the S2 prep).

Thanks!

James

James W. McCament  
Acting Director  
Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Washington, DC 20529-2150  

(b)(6)  
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Thanks to you and [redacted] for this good point. [redacted] will double back with you on the SME name/s shortly.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

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Referred to Department of Homeland Security
James,

Attached, please find the clean memo with the changes.

Thank you,

Lead Scheduler | Office of the Acting Director | (b)(6)
U.S. Citizenship and Immigration Services (USCIS) | Department of Homeland Security (DHS) |
(o) (c) (m) (n)

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Hi,

Last one. :). Please print out these attachments as well. For the AD S1 Memo please accept all changes before printing out. Thanks!

James

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services | (b)(6)
Department of Homeland Security
Washington, DC 20529-2150

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intended recipient, please notify the sender immediately and delete or destroy all copies. Thank You.

From: McCament, James W  
Sent: Sunday, May 14, 2017 8:03:34 PM  
To: Renaud, Tracy L  
Subject: FW: TPS addendum

FYI: for your reading pleasure...

James W. McCament  
Director (Acting) | Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Deputy Director’s Office

(b)(6)

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From: McCament, James W  
Sent: Sunday, May 14, 2017 7:46 PM  
To: Nuebel Kovarik, Kathy  
Subject: RE: TPS addendum

Thanks Kathy, and thanks to all 3 of you for the Sunday afternoon review/analysis. Please thank [REDACTED] and the team for pulling together the supporting information. Kathy, your summary and itemized list fits with my recollection of all of the points which [REDACTED] wanted covered.

I’ve made just a few edits to the memo-mainly to conform it as an addendum to the original memo. Process-wise, I thought this would fit better given the memo from the Haitian Government as well as the data questions received. As well as that the original recommendation has not changed. However, if the desire is to integrate and update I think that can be done quickly.

Please take a quick look and we can discuss tomorrow (we’ll have to do so by phone as I’ll be at the NAC in the AM and staying for the TPS meeting in the afternoon). If you have any edits please advise and I’ll then plan to send to [REDACTED] as a draft with the materials. I’d anticipate that the Foreign Minister may provide additional information in tomorrow afternoon’s meeting. If so, we can reference the meeting, and any additional information, in the memo before finalizing and sending forward. As well if Secretary Tillerson should provide an updated recommendation.

Thanks again,
James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: Nuebel Kovarik, Kathy
Sent: Sunday, May 14, 2017 4:54 PM
To: McCament, James W
Subject: RE: TPS addendum

James – take a look at your convenience and we can discuss in our meeting tomorrow morning.
Thanks!

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

From: Nuebel Kovarik, Kathy
Sent: Sunday, May 14, 2017 3:38 PM
To: McCament, James W
Subject: RE: TPS addendum

It's probably too late anyway, but I have no further edits. I think the inclusion of the information about how USAID and IOM have been helping Haiti with absorbing those removed by ICE will be of interest to S1.

From: Nuebel Kovarik, Kathy
Sent: Monday, May 15, 2017 1:56:22 AM
To: McCament, James W
Subject: RE: TPS addendum
Please see my attached redline. I only had two small suggested changes.

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From: Nuebel Kovarik, Kathy
Sent: Sunday, May 14, 2017 1:12:14 PM
To: McCament, James W;
Subject: TPS addendum

Hi. For TPS, we need to get our supplemental information to [redacted] as soon as possible. He originally asked for a revised decision memo, but James asked for an addendum to send up. I have made slight changes to the memo addendum that [redacted] have drafted, but think this is a decent document overall. Do you think it’s missing anything?

My notes suggest that this is what we were tasked to provide.

1. GDP growth – longer-term trend. 2% growth in 2015 is noted in the Decision Memo. In your report, you note it was 5.5% in 2011 and slowed to 2% in 2015 for various reasons. Can we get the year-over-year numbers/trends for some period of years preceding the earthquake to the present (or the most recent year following the earthquake for which GDP is tracked)?
2. Clarification on visa demand being down by 30%?
3. Information regarding the UN’s decision to conclude its peacekeeping mission in October 2017. In particular, what served as the basis for the decision to end the mission? What will replace it and in what capacity will it serve?
4. Information regarding the status of reconstruction of the Presidential Palace, and what that suggests regarding the Government of Haiti’s post-earthquake recovery and capacity.

Additional documents attached, for [redacted] per his request.

5. Can we get a user-friendly list of all TPS designations we have made in the last ten years, and how many have been terminated during the same period?
6. Can we get a companion analysis to the Haiti country conditions that analyzes economic factors, humanitarian issues, healthcare, stability, etc., of Guinea, Liberia, and Sierra Leone? I’m
pretty sure that those TPS designations were made under the same subsection of 244.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

(b)(6)
OCC, James has conveyed that the Secretary would like to promote the required re-registration by Haiti TPS beneficiaries. To that end, if possible, there is a desire to rely on the AC21 rule to provide the 6-month autoextension of EADs upon the timely filing of a re-registration application, rather than to autoextend all existing Haiti TPS EADs through the Federal Register Notice as currently drafted. Can you advise as to necessary revisions to the attached draft FRN to accord with this change (i.e., to revise the autoextension language and explain how AC21 will operate for Haiti TPS beneficiaries upon re-registration)?

I’ve attached the latest version of the FRN, which has already gone to OMB can you advise on the necessary timing to get OMB a revised version to avoid delaying publication and announcement of the Secretary’s decision (targeted for Monday)?

Thanks,

Deputy Chief, International and Humanitarian Affairs Division
Office of Policy and Strategy, U.S. Citizenship and Immigration Services
Department of Homeland Security
Desk Phone
Mobile
E-mail

From: McCament, James W
Sent: Friday, May 19, 2017 3:33 PM
To: Nuebel Kovarik, Kathy
Cc: Nuebel Kovarik, Kathy
Subject: FW: TPS Auto-extensions

FYI as well See you shortly.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150
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Thank You.

From: McCament, James W  
Sent: Friday, May 19, 2017 3:19:11 PM  
To: Neufeld, Donald W; Nuebel Kovarik, Kathy; Renaud, Tracy L  
Subject: RE: TPS Auto-extensions  

Yes, thanks Don and thanks for the follow up call. Adding Tracy.

James W. McCament  
Acting Director  
Deputy Director  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
Washington, DC  20529-2150

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Thank You.

From:  
Sent: Friday, May 19, 2017 3:00:18 PM  
To: Neufeld, Donald W; McCament, James W; Nuebel Kovarik, Kathy;  
Subject: RE: TPS Auto-extensions

Very good to know.

Chief, Office of Legislative Affairs  
U.S. Citizenship and Immigration Services

From: Neufeld, Donald W  
Sent: Friday, May 19, 2017 7:58:02 PM  
To: McCament, James W; Nuebel Kovarik, Kathy;  
Subject: TPS Auto-extensions

(b)(6)
Heads up, folks here have reminded me that after the AC-21 rule went final in January, TPS renewals get their EADs automatically extended 180 days if they file within the 60-day window. Their receipt notices will reflect this.

Donald Neufeld
Associate Director
Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Ave NE, Suite 2125
Washington, DC 20002
From: Nuebel Kovarik, Kathy
Sent: Monday, August 21, 2017 3:27 PM
To: 
Cc: Renaud, Tracy; McCament, James W
Subject: TPS data

- per your request below, we have compiled data on all TPS designations. If you need anything else, please ask.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

Referred to Department of Homeland Security
We don't have it but we can certainly run it. We will get working on it.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

From: Renaud, Tracy L
Sent: Friday, August 4, 2017 3:26 PM
To: McCament, James W, Nuebel Kovarik, Kathy
Subject: Re: Haiti TPS (b)(6)
I have been asking some questions about the low number of re-reg applicants and below is what I received. It makes a bit more sense but the number who did not file is still extraordinarily high. The ~58k is the total number of individuals that ever had TPS and over time some would have opted out if they found other means to regularize or if they departed the US. The last re-reg resulted in ~46k who were actually still TPS recipients. With that clarification, the number that have not filed is closer to ~12k. More detail from our SME below.

----------

Tracy,

In follow up to your question this afternoon, the expected number of TPS Haiti re-registrants for the current extension period was 46,000 (this figure is also reflected in the most recent FRN). The reason the total number of TPS Haiti beneficiaries (58,945) is not used is because the estimate is determined from previous filing trends. Historically, there is a gradual decrease in the overall population for each TPS country after a new extension period is announced. This is due to a variety of factors such as individuals who may have adjusted status, departed the U.S., etc.

That being said, the number of TPS Haiti re-registrants for the current extension period is significantly lower when compared to prior extension periods. Please see additional information below which compares the current extension to the two previous periods (note this would include late re-registrations but my team doesn’t believe this to be a significant number):

- 2017 Extension Period (current)
  - Estimated: 46,000
  - Actual to date: 36,672
  - Difference: 12,328
- 2015 Extension Period
  - Estimated: 50,000
  - Actual: 46,000
  - Difference: 4,000
- 2014 Extension Period
  - Estimated: 51,000
  - Actual: 50,000
  - Difference: 1,000

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security
The number of individuals who have filed for re-registration in the most recent re-registration period (May 24, 2017 to July 24, 2017) is 33,672. The number of individuals that were approved for Haiti TPS prior to May 24, 2017 is 58,945. Just to do the math for you, that means 25,273 did not file for re-registration during the designated timeframe.

In addition, as of July 31, 2017 below is information regarding filings for other immigration benefits by individuals who previously held Haiti TPS:

Since the July 25 report, there have been **123** more matches in the most recent extension period.

Here is a brief explanation of our procedure to determine the rate of Haitian TPS recipients applying for LPR status:

- For the 58.9K beneficiaries, search for any I-130, I-140, I-360, or I-485 that was filed on or after Jan 21, 2010 (initial TPS Haiti designation date) by matching the A-number on the I-821 TPS application with the beneficiary A-number on the immigrant petition or I-485.
- For each matching A-number, find the earliest receipt date if there is a multiple match.
- To estimate the if there is a upward trend since the May 24, 2017 FRN publication, determine the number of weeks between each of the previous FRN publication dates, then calculate the average number of individuals filing per week in each reregistration period.

The following table and graph demonstrate a recent increase in applications / petitions in the current 6-month registration period, but also an increase in December 2016, preceding the fee increase.
Number of individuals with Approved TPS from Haiti as of May 23, 2017 who were the beneficiary of an immigrant petition (I-130, I-140, or I-360) or filed an I-485

<table>
<thead>
<tr>
<th>FRN Date</th>
<th>Type</th>
<th>Count of Persons</th>
<th>Avg. Persons per Week</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/21/2010</td>
<td>Initial Designation - 18 Months</td>
<td>2,321</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>5/19/2011</td>
<td>Extension and Re-designation - 18 Months</td>
<td>2,441</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>10/1/2012</td>
<td>Extension - 18 Months</td>
<td>2,075</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>8/25/2015</td>
<td>Extension - 18 Months</td>
<td>5,471</td>
<td>60</td>
<td>Fee Increase in Dec 2016</td>
</tr>
<tr>
<td>5/24/2017</td>
<td>Extension - 6 Months</td>
<td>1,253</td>
<td>128</td>
<td></td>
</tr>
<tr>
<td>Grand Total</td>
<td></td>
<td>16,418</td>
<td>42</td>
<td></td>
</tr>
</tbody>
</table>

Tracy L. Renaud  
Acting Deputy Director  
US Citizenship & Immigration Services  
Department of Homeland Security

Referred to Department of Homeland Security
Can you provide recommendations as to how we might best share the data attached as well as potential messaging?

Tracy L. Renaud  
Acting Deputy Director  
US Citizenship & Immigration Services  
Department of Homeland Security

From: Nuebel Kovarik, Kathy  
Sent: Monday, August 21, 2017 3:27 PM  
To: Renaud, Tracy L  
Cc: McCament, James W  
Subject: TPS data

Per your request below, we have compiled data on all TPS designations. If you need anything else, please ask.

Tracy L. Renaud  
Acting Deputy Director  
US Citizenship & Immigration Services  
Department of Homeland Security

Referred to Department of Homeland Security
https://www.washingtonpost.com/local/social-issues/federal-officials-dhs-to-extend-temporary-protected-status-to-haitians/2017/05/22/d2796824-3ef5-11e7-8e25-44d09f75a4a8_story.html?utm_term=.199e4cc0f8db

From: McCament, James W
Sent: Monday, May 22, 2017 11:33 AM
To:
Cc: Nuebel Kovarik, Kathy;

Subject: RE: TPS Materials

All, given that the DHS Press Call is at noon today, has the connection been made back to State so the Government of Haiti can be notified? If not, suggest that would now happen correct?

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

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From: McCament, James W
Sent: Monday, May 22, 2017 9:47 AM
To:
Cc: Nuebel Kovarik, Kathy;

Subject: RE: TPS Materials

Thank you . All, I’d suggest that give State the green light to reach out to Haiti if the Congressional calls are about to begin? , any concerns with doing so?
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Referred to Department of Homeland Security

From: McCament, James W
To: Kovarik, Kathy

Subject: RE: TPS Materials

Hi all, adding (b)(6) to the email chain to be able to advise all once the FRN which OGC has provided is signed by S1.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Hi all,

Just want to circle back to confirm the current state of play for communications with the notice now ready for signature by S1?

From the quick recap and schedule, we have the DHS press backgrounder; Congressional Notification (by USCIS as I understand?) to occur ideally 60 minutes prior to the backgrounder; and, finally, notification to the President of Haiti by DOS once DHS/USCIS advises State Department to do so.

Just wanted to reconfirm the final steps, specific timing and see what further is needed from USCIS? Including if you need anything further regarding final communication materials which will be utilized?

Thanks again all, very glad we are very close to the finish line.

James

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(Deputy Director’s Office)
All, also adding Michael and David Cloe to the email chain. Thanks!

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Deputy Director’s Office

Thanks once the timing is finalized, I’ll ask that DOS notify concurrent with your Congressional notification timing.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
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Referred to Department of Homeland Security

From: McCament, James W
Sent: Monday, May 22, 2017 7:31 AM
To: [Redacted]
Cc: [Redacted]

Subject: RE: TPS Materials

Thanks. I think that's a good point regarding the materials. If then, the media call remains at 11, what time will Congressional notifications go forward? Ideally, suggest or I notify DOS and ask that the call to the Haitian President go at the same time as the Congressional notifications. (Not prior). If that makes sense. Thanks all.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(Deputy Director’s Office)

(b)(6)
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Referred to Department of Homeland Security

From: McCament, James W
Sent: Monday, May 22, 2017 7:16:54 AM
To: [Redacted]
Cc: Nuebel Kovarik, Kathy
Subject: RE: TPS Materials

Thanks [Redacted] In addition, if the call happens in the afternoon that also would allow for the notifications (Congressional and Government of Haiti) to happen immediately prior to the call. With an 11:00 that would crib that time further. If the backgrounder is moved to the afternoon, and once the FRN is signed, I will contact DOS (an hour or so) before the media call to allow for notification of GOH-hopefully concurrent to the Congressional notifications-if [Redacted] can advise on that timing.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security (b)(6) (Deputy Director’s Office)

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Got it. Thought that was probably the case. Okay, keep me posted if the team is unable (just for visibility for the S1 meeting). Most importantly, have a great weekend!

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(Deputy Director's Office)

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From: Nuebel Kovarik, Kathy
Sent: Friday, April 07, 2017 9:46 PM
To: McCament, James W
Subject: RE: TPS

Yeah, OPQ. Our people have reached out to them, as I understand. I just said stats division for simplicity for [Redacted]. I am following up with [Redacted].

---

From: McCament, James W
Sent: Friday, April 07, 2017 9:42:33 PM
To: Nuebel Kovarik, Kathy
Subject: RE: TPS

Thanks Kathy for pulling together with the team. As for the availability of information, well, it is what it is where we lack the information. Just to double-check, by statistics division you mean within OP&S or also with OPQ? If the latter, just want to confirm if there’s been an outreach made to them. Thanks again.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(Deputy Director's Office)
I'm embarrassed to send this document because there's very little data to pull from it. Our people did the best they could, but they found it difficult to find the answers you needed. I remain hopeful that our statistics division will have something fruitful to share.

Happy to review anything you send.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

Thank you very much. I have not yet seen the briefing memo and would be happy to review/edit directly. In coordination with our team.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150
intended recipient, please notify the sender immediately and delete or destroy all copies.
Thank You.

Refereed to Department of Homeland Security

From: McCament, James W
Sent: Friday, April 7, 2017 8:09 PM
To: Cisna, Francis
Cc: Nuebel Kovarik, Kathy
Subject: RE: TPS

Yes, thank you all for closing the loop!

James

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150

(b)(6)

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Referred to Department of Homeland Security

From:

Sent: Friday, April 7, 2017 7:59 PM

To: McCament, James W
    Cissna, Francis

Cc: Nuebel Kovarik, Kathy

Subject: RE: TPS

(b)(6)

Hi, It appears that ESEC did not include USCIS on this. I called up Francis and got a copy around 6:00 p.m. once I grew suspicious about the silence. Anyway, this evening Kathy will send around what USCIS was able to collect today.

(b)(6)

Referred to Department of Homeland Security
Hi (b)(6)

Thanks for the heads-up. With respect to the data set, if HQ needs additional information USCIS Policy & Strategy should be able to pull those additional statistics. Kathy, if needed can you ask one poc of your team to pull that data into a one pager-deadline for today? If needed, I’m fine for you to note I asked for the overview data (since I just did). We can then deliver to Gene.

Thanks again (b)(6)

James

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
(b)(6)
We have tried to pull this data, but don’t have a lot. We’ll ping our people again. In the meantime, let me give you something.

(1) How many current Haitian TPS folks were illegal pre-TPS designation? – WILL SEE IF WE CAN PULL.
(2) Since designation, how many have committed crimes? – WE PREVIOUSLY ASKED BUT DATA IS DIFFICULT TO OBTAIN
(3) Since designation, how many are on public assistance? Out of work? – WILL LIKELY BE DIFFICULT TO OBTAIN
(4) Can we describe what has changed in Haiti warranting the recommended change (this may be in the memo but I have not seen it yet)- would include if verified items such as rebuild of palace, build of army, change in UN list, 4-5% growth in GDP – WILL GET

Other:

Demographic Data: see attached charts. You’ll note that most of those with Haiti TPS are between ages of 33-49. Also, many of those with TPS are located in Florida, California, Maryland, New York, Texas and Virginia.

Remittances
According to the World Bank, Haiti received an estimated $2.19 billion in remittances in 2015. Of this amount, an estimated $1.34 billion were from the United States. Total remittances to Haiti accounted for approximately 25% of Haiti’s GDP in 2015 (Total GDP = $8.77 billion). Remittances from the United States accounted for approximately 15% of Haiti’s GDP in 2015.

How often TPS holders travel back and forth to the island
CBP provided the following preliminary numbers for Haitian national entries (not persons, but
entries) for the admission code “DA” (advanced parole). Note, this includes any Haitian who entered under advance parole, not just Haitian TPS beneficiaries, but it’s a better proxy than the USCIS Advance Parole Document grant data:

- FY 2015 - 1,548
- FY 2016 - 1,293
- FY 2017 - 620

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

Reflected to Department of Homeland Security

From: (b)(6)
Sent: Tuesday, April 25, 2017 9:49 AM
To: Nielsen, Kirstjen McCament, James W
Cc: (b)(6)

Subject: RE: TPS/Haiti

Adding Kathy, Chief of USCIS Policy.

USCIS is on it, although we won’t likely have stats on some of these items (e.g., public assistance, unemployment).
From: 
Sent: Tuesday, April 25, 2017 9:49 AM 
To: Nielsen, Kirstjen  
       McCament, James W  
Cc: Nuebel Kovarik, Kathy  
Subject: RE: TPS/Haiti

Adding Kathy, Chief of USCIS Policy.

USCIS is on it, although we won’t likely have stats on some of these items (e.g., public assistance, unemployment).
We pulled as much together on Haiti as we could today, and I put in one document for you. I hope you find it helpful, although our data collection is minimal. Let us know if you need anything else.

Kathy Nuebel Kovarik
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

Adding Kathy, Chief of USCIS Policy.

USCIS is on it, although we won’t likely have stats on some of these items (e.g., public assistance, unemployment).
Referred to Department of Homeland Security
Haiti TPS redline.

From: [Redacted]
Sent: Monday, April 03, 2017 11:38 AM
To: Nuebel Kovarik, Kathy
Cc: [Redacted]
Subject: RE: Updated TPS Haiti Decision Memo

Adding [Redacted] as well

Senior Advisor
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: [Redacted]
Sent: Monday, April 03, 2017 10:54 AM
To: Nuebel Kovarik, Kathy
Cc: [Redacted]
Subject: FW: Updated TPS Haiti Decision Memo

FYI – not sure if you saw this – the revised memo is heading to James for signature before heading to the NAC. It is designed as an options paper, though in it, USCIS recommends extension for 18 months but not redesignation.

Senior Advisor
Office of Policy & Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From:  
Sent: Monday, April 03, 2017 10:50 AM  
To: USCIS Exec Sec  
Cc:  

Subject: Updated TPS Haiti Decision Memo

Good morning EXSO,

Attached is the updated TPS Haiti Decision memo, which now includes options for the Acting Director’s approval.

If you could please replace this updated memo with the one that is in the current folder and provide it to the Front Office we would greatly appreciate it. We are looking for approval ASAP so that the package can be submitted to DHS HQ/OGC.

Please let me know if you have any questions.

Thanks,

From: On Behalf Of USCIS Exec Sec  
Sent: Friday, March 17, 2017 1:43 PM  
To: USCIS Reqs; USCIS Exec Sec  
Cc:  

Subject: RE: [DELIVERED TO THE DIRECTOR'S OFFICE] TPS Haiti and Memo - Due COB 3/16/17 or soonest

Hi,

I just spoke with the Director’s office. The package has been cleared to AD1 by COS. As of now it is pending approval. An estimated time for completion was not given.

Respectfully,

Management and Program Analyst  
Office of the Executive Secretariat  
U.S. Citizenship and Immigration Services  
Office: Fax: 202-272-8340
Good afternoon, EXSO,

When can we anticipate AD1’s approval for the TPS Haiti package?

Thanks,

Good evening.

FYI: Package delivered to the Director’s Office this afternoon.

EXSO’s edits have been reviewed and cleared by the team as edited. The only exception occurs on page 8 of the “Draft Haiti TPS FRN for FO Review 03.02.17 (exso)” FRN, were “continue” was
incorrectly changed to “continues.” We’ve made the change back in the attached version.

Please accept/clean the documents as noted and continue package clearance.

Thank you,

From: On Behalf Of USCIS Exec Sec
Sent: Friday, March 03, 2017 1:55 PM
To: USCIS Regs; USCIS Exec Sec
Cc: 

Subject: RE: Subject: For FO Approval Due COB 3/16/17 or soonest: TPS Haiti and Memo
Importance: High

Good afternoon,

EXSO’s Writer-Editor cleared the document with edits. Please review the edits and provide a response. We will move the document immediately forward to the Director’s office when your response is received.

Respectfully,

(b)(6)

Management and Program Analyst
Office of the Executive Secretariat
U.S. Citizenship and Immigration Services
Office | Fax:

From: USCIS Regs
Sent: Thursday, March 02, 2017 3:46 PM
To: USCIS Exec Sec
Cc: 

Subject: Subject: For FO Approval Due COB 3/16/17 or soonest: TPS Haiti and Memo
Importance: High

(b)(6)

Good Day EXSO,

For FO approval, please find attached:
• The Federal Register Notice (FRN), Extension of the Designation of Haiti for Temporary Protected Status, and
• The USCIS Recommendation Memorandum for Haiti Temporary Protected Status (TPS).

Summary
The USCIS Recommendation Memo discusses relevant country conditions in Haiti and explains USCIS’ recommendation that the Secretary extend the TPS designation of Haiti. Following a decision by the Secretary, the FRN would alert the public that the designation for TPS of Haiti is being extended, effective July 23, 2017 through January 22, 2019. The FRN provides information about the reregistration process under the extension, initial registration applications under the designation, and late initial TPS filings. Additionally, the FRN alerts the public and provides guidance to individuals and employers on the 6-month automatic extension of work authorization for TPS Haiti employment authorization documents.

Timeline
• Respectfully request FO clearance by COB on 3/16/17 or soonest.
• Target publication date is NLT 5/23/17, following DHS and OMB clearance.
• The current designation ends on 7/22, and the Secretary must make a decision at least 60 days before the designation end date. This clearance is, therefore, time-sensitive.

Clearance:
• MGT (OIDP, OCFO, and OPQ), OP&S, RAIO, SCOPS, FDNS, OCOMM, and IRIS cleared by 2/28/17;
• OCC cleared on 3/1/17;
• Requires AD1’s signature on the Memorandum, and AD1’s approval by COB 3/16/17 or soonest to submit the FRN to DHS for S1’s signature.

Attachments
• FRN
• Memorandum with Attachments A, B, C, and D.

Contacts

Please notify us of all edits made to the documents as this moves forward for AD1’s clearance to ensure version control.

Also, let us know if we can provide additional information.

Thank you, (b)(6)
Chief, Regulatory Management Branch
Regulatory Coordination Division
Office of Policy & Strategy
U.S. Citizenship & Immigration Services Headquarters
Department of Homeland Security

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Tracy said it was looking like 18 mos as of hour ago, but still awaiting final decision.

Thanks for the update. Kathy is requesting confirmation on the length of delayed effective date. Do we know if it’s 12- or 18- months?

Yes, it is back with HQ.
From: [Redacted]  
Sent: Monday, November 20, 2017 1:57 PM  
Subject: FW: URGENT: For submission to DHS ESEC ASAP: TPS Haiti Memorandum and attachments - 1153120

Has this gone back to HQ?

Thanks.

Chief of Staff (Acting)  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  

From: [Redacted]  
Sent: Monday, November 20, 2017 1:56 PM  
Subject: FW: URGENT: For submission to DHS ESEC ASAP: TPS Haiti Memorandum and attachments - 1153120

(b)(6)

From: [Redacted]  
Sent: Monday, November 20, 2017 12:40 PM  
To: [Redacted]  
Cc: Nuebel Kovarik, Kathy; JSCIS Exec Sec; USCIS Regs  
Subject: RE: URGENT: For submission to DHS ESEC ASAP: TPS Haiti Memorandum and attachments - 1153120

It appears to be World Bank data on Haiti’s annual GDP growth. 1.4% is the World Bank’s estimate of Haiti’s GDP growth in 2016 (as of June 2017). My guess is that since the 2016 statistic is still an estimate, its only written to one decimal place. Prior years’ statistics—which are not listed as estimates—are written to three decimal places. Both estimates and forecasts (i.e. as of June 2017, the World Bank was projecting Haiti to have a GDP growth rate of 0.5% in 2017) seem to be written to one decimal place.

From: [Redacted]  
Sent: Monday, November 20, 2017 11:18 AM  
To: [Redacted]  
Cc: Nuebel Kovarik, Kathy; JSCIS Exec Sec; USCIS Regs  
Subject: RE: URGENT: For submission to DHS ESEC ASAP: TPS Haiti Memorandum and attachments - 1153120

(b)(6)

can confirm or disconfirm, but we think that was World Bank data. In the
GDP annual growth chart we found that accords with that data, World Bank has the statistic to three decimal places up to 2016, as shown, but just says “1.4” for 2016. Although it may look a little odd, would just do 1.4. It’s almost certainly rounded rather than actually being 1.400.

I can make the edit. Can you confirm this is accurate?

It's shown up to 3 decimal points --- I just made it 1.400
Good morning. We can confirm that the 2016 GDP growth is 1.4 per the information provided by RAIO RU in Attachment B. We don't have the latest Word version of the memo to update the chart itself, but think [redacted] might be able to get her hands on it? Also adding RAIO RU for their awareness.

Good Morning,

AS1 is ready to sign the TPS memo with one condition. Please review page 4. AS1 is requesting that the chart on pg. 4 show 2016 GDP for Haiti. Per Attachment #2, the GDP for 2016 is 1.4. Please confirm.

Good afternoon EXSO,

D1 has signed the attached memo re TPS Haiti and has requested that it be sent to DHS ESEC today. We apologize for the short turnaround time as the Secretary has to make a decision 60 days before
it expires and the target decision date is 11/23/17. Thanksgiving is 11/23, so the decision is recommended by 11/22.

The D1 signed memorandum is not dated, so if you could please date it before ESEC transmission we would greatly appreciate it.

Once AS1 has signed, please provide a copy of the memorandum and we will finalize the Federal Register Notice to correspond with AS1’s decision.

**Attachments:**

D1 Signed Memorandum on TPS Haiti
Attachment A: Temporary Protected Status Legal Authority
Attachment B: USCIS RAIO Research Unit Report on Conditions in Haiti
Attachment C: DOS Recommendations (2 documents)

Please let me know if you have any questions.

Thanks,

Project Manager, Regulatory Management Branch
Regulatory Coordination Division
Office of Policy & Strategy
U.S. Citizenship & Immigration Services Headquarters
Department of Homeland Security

(b)(6)

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Tracy,

Political at post has told us that, to their knowledge, the GOH hasn’t taken any action at this point. However, the Charge d’Affaires will meet with the Minister of Foreign Affairs on Tuesday, July 18th, and, TPS-related actions is on the agenda for discussion. We’ve asked our FOD to relay the importance that the Charge reiterate the need for the GOH to work with TPS holders in the States to facilitate their smooth return in the near future. We’ve also asked DOS to ask the GOH for specific concrete actions they plan on taking and timelines.

Given the inaction on their end to date, I recommend we consider pulling together a meeting with Haitian consulates in the US (who would be doing the outreach based on Port-au-Prince’s direction) to ensure they are taking the appropriate steps.

We can work with OP&S and CSPE to do so if you agree.

Let me know if you have questions.

Best

Thank you both.
Yes, apologies. Will do.

**Kathy Nuebel Kovarik**
Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services

From: Renaud, Tracy L  
Sent: Friday, July 14, 2017 9:50 AM  
To: Nuebel Kovarik, Kathy  
Cc: McCament, James W  
Subject: VTel w/S1 & Haiti

Kathy—

On the VTel with S1 this morning he expressed interest again in knowing whether the Government of Haiti was working with those here on TPS to prepare them to return to Haiti as he told them to. He indicated that we (a general “we” not necessarily directed to USCIS) should reach out to the US Embassy in Haiti if that was the best source. Perhaps you guys can reach out to our FOD in Haiti to see if they know of any such efforts. Kathy, I think James had asked you guys to reach out to your DOS TPS POCs as well. Can you ask them to try again today? James fully expects that S1 will raise this again on Monday so anything we can find out today would be helpful.

*Tracy L. Renaud*  
*Acting Deputy Director*  
*US Citizenship & Immigration Services*  
*Department of Homeland Security*  

* (b)(6)
Great, thanks for the detailed read out.

With respect to the Haiti data and the ask of the embassy the Secretary had mentioned that on Monday. I asked Kathy to reach out to see through her TPS folks if State has reported back. Since he has asked twice, Im guessing he will ask me again during Mondays VTEL. If you can ask Kathy and Jennifer, seems like a direct to EMB PAP today is very wise (and corralary-Merten/Henshaw at main DOS). Even if the answer hasnt arrived by Friday.

Thanks for the quick recap on Premium too-I recognize when Gene is gone just how much the Secretary delegates and trusts all things immigration to him.

With respect to the WH Directive, S2 had previously made that point at the DMAG. I think its now uber emphasized.

I will say that in retrospect I would have flagged to Kirstjen and Elizabeth but for the DHS person who connected everyone. One of the limited few I would have thought of the same as the Front Office. Lesson learned that any such directive will be sent as an fyi to Kirstjen/Elizabeth-no matter the source. Ill think of how to emphasize at the AD meeting but will be pretty open I think. And will also note to Kathy/Craig/Molly/Carl.

Thanks again and now to adventures in the Buckeye State.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150
james.w.mccament@uscis.dhs.gov

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Call with S1 was relatively uneventful. All the LEAs did readouts about arrests and their other enforcement efforts as is the norm. FEMA discussed flooding.

For USCIS I mentioned: 1) Hawaii court case ruling and that we are awaiting OGC consultation with DOJ but that we will likely need to change our guidance as it appears to expand the family relationships to more extended family members. 2) That we are prepared to implement the additional H2B cap level and our understanding is that OGC is fine-tuning the rule with OMB. 3) We are planning to reinstitute PP for the next group of H1B either 7/17 or 7/24 and that we are working with our politicals to identify the most appropriate date. He did not remember what Premium Processing is and asked me to quickly explain it which I did. No questions on parole or anything else.

After finishing the rounds he said two things that do pertain to us:

1) TPS Haiti: He reiterated his prior ask of the Haitian government to work with those who have TPS to prepare them for travel in order to return to Haiti and he wants to know if they are doing that. He said we (the overall “we” not necessarily targeted to any one specific person/agency) should check with our Embassy in Haiti if that’s the best place to get the info. I will relay that to. He also indicated that he is wondering if a greater number of Haitians are pursuing other avenues to regularize their status. We got the data from but that seems to be the entire universe since TPS began, not tied to specific timeframes. Not sure if you or Kathy planned to send that info up to but I can ask to put some info regarding timeframes around the data so we have it ready for that refined portion of the question.

2) S1 stated firmly that the only people in the WH who can direct us to do anything are POTUS and VP. While he has no issue with us having day-to-day working level discussions with WH staff, he does not want them directing us especially when it comes to decisions or changes of decisions by our professionals. He said that when someone says that POTUS or the VP want something it then because his issue not ours. He wants that info to get out. Not sure how you want to message it but you can think about it and we can discuss on Monday with appropriate folks here.

Hope the flight goes smoothly.

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)
DHS Secretary will Re-Evaluate Designation Later This Year

Secretary of Homeland Security John F. Kelly has extended Temporary Protected Status (TPS) for eligible nationals of Haiti (and eligible individuals without nationality who last habitually resided in Haiti) through Jan. 22, 2018. After consulting with the appropriate U.S. government agencies and reviewing country conditions, Secretary Kelly has determined that a limited, six-month extension is warranted. Although Haiti has made significant progress in recovering from the January 2010 earthquake that prompted its designation, conditions in Haiti supporting its designation continue to be met at this time.

Current beneficiaries of Haiti’s TPS designation seeking to extend their TPS must re-register by July 24, 2017. TPS beneficiaries who re-register may request a new Employment Authorization Document (EAD). Those who re-register and request a new EAD during the 60-day re-registration period may receive an automatic extension of their expiring EAD for up to 180 days from the date their current EAD expires. Current EADs will not be automatically extended without a new EAD request. If a beneficiary’s EAD request is approved, they will receive a new EAD with an expiration date of Jan. 22, 2018. TPS beneficiaries are strongly encouraged to re-register and file their EAD applications as early as possible to avoid lapses in documentation of employment authorization.

During this six-month extension, beneficiaries are encouraged to prepare for their return to Haiti in the event Haiti’s designation is not extended again, including requesting updated travel documents from the government of Haiti. At least 60 days before Jan. 22, 2018, Secretary Kelly will re-evaluate the designation for Haiti and will determine whether another extension, a redesignation, or a termination is warranted, in full compliance with the Immigration and Nationality Act. The designation of TPS was intended by Congress to be temporary, and the Secretary will fully re-evaluate the country conditions to determine whether Haiti’s TPS designation should continue.

To re-register, current TPS beneficiaries must submit:

- Form I-821, Application for Temporary Protected Status (re-registrants do not need to pay the Form I-821 application fee).
- The biometric services fee (or a fee-waiver request) if they are 14 years old or older.
- Form I-765, Application for Employment Authorization, regardless of whether they want an EAD.
- The Form I-765 application fee or a fee-waiver request, but only if they want an EAD. If the re-registrant does not want an EAD, no Form I-765 application fee is required.

Applicants may request that USCIS waive the Form I-765 application fee and/or biometric services fee based on an inability to pay. To do so, applicants must file Form I-912, Request for Fee Waiver, or submit a written request. Fee-waiver requests must be accompanied by supporting documentation. USCIS will reject the TPS application of any applicant who fails to submit the required filing fees or a properly documented fee-waiver request.

Additional information about TPS for Haiti, including guidance on eligibility, the application process and where to file, is available online at uscis.gov/tps. Further details about this extension of TPS for Haiti, including the application requirements and procedures, appear in a Federal Register notice published today.

For more information about USCIS and its programs, please visit www.uscis.gov or follow us on Twitter (@uscis), YouTube (/uscis), and Facebook (/uscis).
To: Kirstjen Nielsen  
Chief of Staff

From: Kathy Nuebel Kovarik  
USCIS, Chief of the Office of Policy and Strategy

Cell: (b)(6)

(1) **UNLAWFUL STATUS:** How many current Haitian TPS folks were illegal pre-TPS designation? -

**UNRELIABLE DATA** - The TPS statute does not require individuals to have lawful status in order to qualify for TPS. The TPS application form (I-821) does request the applicant’s status at the time of application, and this information is recorded in USCIS systems. However, since the information is self-reported, we cannot confirm its accuracy. Additionally, not all applicants provide this information on the form in a standard or recordable fashion. The 2016 annual TPS report to Congress shows that 80 of the 58,706 Haitian TPS beneficiaries have their status reported in USCIS systems as “without inspection.” However, we note that the same report shows that 48,597 of the 58,706 Haitian TPS beneficiaries had their status reported in USCIS systems as unknown. Given the large number of individuals with unknown status, 80 is not a reliable estimate of the number of Haitian beneficiaries who had no lawful status at the time of applying for TPS.

(2) **CRIMINAL BACKGROUND:** Since designation, how many have committed crimes? – NOT AVAILABLE - Information regarding whether TPS beneficiaries have committed crimes is not currently available through USCIS systems. Certain data elements that may assist in compiling this information may, however, be available to USCIS in paper files or in various, unconnected USCIS systems. If there is a need to collect this information in a reportable fashion going forward, we suggest that the Front Office bring the leadership of SCOPS, OPQ, FDNS, and OP&S together to discuss the feasibility and means of achieving this objective.

(3) **PUBLIC ASSISTANCE:** Since designation, how many are on public assistance? Out of work? – NOT OBTAINABLE - TPS beneficiaries are not eligible for the majority of public benefits. We know of no way internal to USCIS or DHS to determine whether TPS beneficiaries are on public assistance or out of work.

(4) **COUNTRY CONDITIONS:** Can we describe what has changed in Haiti warranting the recommended change (this may be in the memo but I have not seen it yet)- would include if verified items such as rebuild of palace, build of army, change in UN list, 4-5% growth in GDP. This information is pulled straight from the Secretary’s decision memo, which are bulleted here for ease:

- Haiti is the poorest country in the western hemisphere, and it had enormous problems long before the 2010 earthquake. Even before the earthquake, the Haitian government could not or would not deliver core functions to the majority of its people.

- Haiti’s economy continues to recover and grow (2% growth in 2015).

- 96% of people displaced by the earthquake and living in internally displaced person (IDP) camps have left those camps. Over 98% of the IDP camps have closed. While those persons who have left have not necessarily moved into ideal housing, Haiti had a substantial housing deficit long before the 2010 earthquake.
• In March 2017, the United Nations announced that the mandate of the United Nations peacekeeping mission in Haiti will end in October 2017. The withdrawal is meant to be gradual to allow time for the Haitian Government to resume control.

• In September 2016, an estimated 3.2 million people (approximately 30 percent of the population) suffered from food insecurity. However, Haiti has historic food security challenges, and the international community has provided emergency food assistance and support for the agricultural sector to help avert a post-earthquake food crisis. Currently, Haiti’s food insecurity problems seem related to tropical storms in 2012 and a drought rather than from lingering effects of the 2010 earthquake.

• Progress has been made in combatting cholera (whose inception was traced to U.N. peacekeepers assisting with earthquake recovery). Nearly 800,000 have contracted cholera and nearly 10,000 have died. The World Health Organization sent one million cholera vaccine doses to Haiti in October 2016.

• Hurricane Matthew made landfall in Haiti on October 4, 2016, causing extensive damage to crops, housing, livestock, and infrastructure across Haiti’s southwest peninsula, circumstances in the country overall have continued on an upward trajectory since the 2010 earthquake. The most significant impact from the storm was concentrated in 3 of Haiti’s 10 departments—Nippes, Grand’Anse, and Sud. Minimal damage was inflicted on the rest of the country, sparing the capital, Port-au-Prince, and the second largest city, Cap-Haitien.

Remittances
According to the World Bank, Haiti received an estimated $2.19 billion in remittances in 2015. Of this amount, an estimated $1.34 billion were from the United States. Total remittances to Haiti accounted for approximately 25% of Haiti’s GDP in 2015 (Total GDP = $8.77 billion). Remittances from the United States accounted for approximately 15% of Haiti’s GDP in 2015.

How often TPS holders travel back and forth to the island
CBP provided the following preliminary numbers for Haitian national entries (not persons, but entries) for the admission code “DA” (advanced parole). Note, this includes any Haitian who entered under advance parole, not just Haitian TPS beneficiaries, but it’s a better proxy than the USCIS Advance Parole Document grant data:
• FY 2015 - 1,548
• FY 2016 - 1,293
• FY 2017 - 620

Demographic Data: Most of those with Haiti TPS are between ages of 33-49. Also, many of those with TPS are located in Florida, California, Maryland, New York, Texas and Virginia. Demographic Charts below.
Demographic data, including how many with TPS are school aged kids

- This table shows TPS beneficiaries as of December 31, 2016 by Petitioner States.

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<th>Petitioner State</th>
<th>Receipt Count</th>
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<td>ALASKA</td>
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1) The report reflects the most up-to-date data available at the time the report is generated.
2) Duplicates were removed based on receipt number, A-Number, SSN, and Name-DOB combination.

Database Queried: January 6, 2017
Report Created: April 10, 2017
System: C3 Consolidated via SAS
Office of Performance and Quality (OPQ), Performance Analysis and External Reporting (PAER), CC

Parameters
Form(s): I-821
Time Frame: All time till 12/31/2016
This table shows TPS beneficiaries for as of December 31, 2016 by Beneficiary Age at Approval.

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**Grand Total** | **439,625**

1) The report reflects the most up-to-date data available at the time the report is generated.
2) Duplicates were removed based on receipt number, A-Number, SSN, and Name-DOB combination.
3) Age at approval is calculated by taking the difference between the approval date and the beneficiary’s date of birth.
Parameters
Form(s): I-821
Time Frame: All time till 12/31/2016
Beneficiary Country of Citizenship: El Salvador, Guinea, Haiti, Honduras, Liberia, Nepal, Nicaragua, Sierra Leone, Somalia, South Sudan, Sudan, Syria, Yemen
Data Type(s): Approvals

- There are 11,849 TPS beneficiaries as of December 31, 2016 with beneficiary ages at approval between 6-18 years old.

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<th>Beneficiary Age at Approval</th>
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<tr>
<td><strong>Grand Total</strong></td>
<td><strong>11,849</strong></td>
</tr>
</tbody>
</table>

1) The report reflects the most up-to-date data available at the time the report is generated.
2) Duplicates were removed based on receipt number, A-Number, SSN, and Name-DOB combination.
3) Age at approval is calculated by taking the difference between the approval date and the beneficiary's date of birth.
Report Created: April 10, 2017
System: C3 Consolidated via SAS
Office of Performance and Quality (OPQ), Performance Analysis and External Reporting (PAER), CC

Parameters
Form(s): I-821
Time Frame: All time till 12/31/2016
Beneficiary Country of Citizenship: El Salvador, Guinea, Haiti, Honduras, Liberia, Nepal, Nicaragua, Sierra Leone, Somalia, South Sudan, Sudan, Syria, Yemen
Data Type(s): Approvals
Talking Points

May 10, 2017

Temporary Protected Status for Haiti

www.uscis.gov
FYI. This notice ends TPS for Haiti. It is currently set to expire on January 22, 2018. The termination is effective on July 22, 2019 (18 months following the end of the current designation).

Paola Rodriguez Hale, Esq.
Adjudications Officer (Policy)
Business & Foreign Workers Division
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security

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No comments from BFWD. Thanks!

Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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Just to avoid any confusion, this is not to be edited here. This is actually for other PODs to review and clear, as we generated them (cleared through KNK). Thanks.


DO NOT REPLY DIRECTLY TO THIS EMAIL. Send any questions to USCISPolicy@uscis.dhs.gov.

For all your tasks, go to the [OP&S Dashboard](http://ecn.uscis.dhs.gov/team/ops/PDC/Tasks/TPS_Haiti_Termination_FRN_11-29-17.docx).
July 18, 2017

The Honorable Rex Tillerson  
U.S. Secretary of State  
U.S. Department of State  
2201 C St NW  
Washington, DC 20520

The Honorable John F. Kelly  
U.S. Secretary of Homeland Security  
U.S. Department of Homeland Security  
3801 Nebraska Avenue, NW  
Washington, DC 20530

Dear Secretaries Tillerson and Kelly:

In the coming months, you will together be responsible for deciding whether to extend Temporary Protected Status (TPS) designations that permit approximately 320,000 TPS recipients from ten countries to temporarily live and work lawfully in the United States.\(^1\) We urge you to review each of the designations closely, taking into consideration conditions on the ground and remaining mindful of the possibility that ending TPS and ordering the return of recipients could undermine fragile recovery efforts or put individuals in harm’s way.

Since its creation in the Immigration Act of 1990 nearly thirty years ago,\(^2\) TPS has served the humanitarian purpose that Congress intended, offering protection and shelter to foreign nationals unable to safely return to their home countries due to natural disaster, armed conflict, or other extraordinary conditions. TPS also has helped to facilitate recovery and stabilization efforts, as countries can focus on rebuilding—often with the support of critically-needed remittances—without having to deal with the strain of reintegrating large numbers of returning nationals.

In recent weeks, much has been said about the need to focus on the “temporary” nature of the TPS designation. It is true that although some TPS designations have been terminated in the past, other designations have lasted for a number of years. However, TPS has been granted sparingly over the past three decades and only in situations in which countries have been truly devastated by a natural disaster or are experiencing widespread armed conflict that poses a grave danger to the public. As a result, although the statute requires that the conditions justifying a grant of TPS be temporary, it nowhere presumes that the conditions will be short-lived and experience shows that it may take years for a country to get back on its feet—particularly when recovery efforts are hampered by subsequent calamities. Indeed, “temporary” in the context of


natural disasters or armed conflict in countries with limited infrastructure and resources could reasonably mean many years.

For countries such as El Salvador, Haiti, Honduras, and Nepal, consecutive natural disasters, including deadly earthquakes and hurricanes, as well as outbreaks of infectious diseases, have hindered these countries' efforts to adequately improve their infrastructure and rebuild their national economies. High levels of violence and citizen insecurity often compound and frustrate rebuilding efforts. While these countries have shown signs of recovery, tens or hundreds of thousands of returnees would overburden their food, housing, healthcare, and social service systems, potentially setting back the fragile progress they have made and triggering deleterious consequences for the entire region. For countries such as Somalia, Sudan, South Sudan, Syria, and Yemen, sustained armed conflict has contributed to global human displacement reaching levels greater than after World War II. Attempting to return individuals to these war zones will inevitably cause great harm or even death.

As you know, while TPS holders can obtain employment authorization, the status does not confer the right to permanent residency or citizenship. It is also important to remember that all TPS recipients are fully vetted and are required to undergo a host of biometrics checks to ensure that they are not risks to public safety or national security. Anyone with a serious criminal record or who is found to be a national security threat is ineligible for TPS.

While they are in the United States, TPS holders regularly make a positive impact on our country's economy. Each year TPS holders contribute hundreds of millions of dollars in federal tax revenue. For example, TPS recipients from El Salvador, Honduras, and Nicaragua report high levels of labor force participation, with 94% of men and 82% of women working. Likewise, Haitians with TPS employed in nursing homes and as home health aides are filling a critical gap in chronically understaffed healthcare fields.

The financial and social contributions by TPS holders are notable. Earnings generated by TPS recipients in the United States not only contribute to local, state, and national economies, but they also provide a lifeline to families and communities struggling to rebuild in the countries of origin. In 2015, El Salvador received over $3.98 billion in remittances from the United States, Honduras over $3.25 billion, and Haiti nearly $1.35 billion. Over three-quarters of TPS holders send remittances to their home countries. Such financial contributions play a critical role in bolstering those national economies' recovery efforts, and underscore TPS holders' continued

7 Menjivar, op. cit.
attachment to their origin countries. Ending TPS and driving beneficiaries out of the workforce or off-the-books would reduce these contributions, drying up critically-needed private dollars to support recovery work at precisely the time when the United States is reducing its commitment to provide foreign financial assistance to many of these countries.

Continuing to extend TPS for the 10 currently designated countries serves our national security interests and demonstrates to our allies abroad that the United States is a leader in humanitarian efforts. Deporting TPS holders back to their home countries would cost billions in taxpayer dollars and would result in several billions in lost tax revenue and economic growth over the next decade.\(^8\)

We hope that you will consider all of these facts as you move forward in evaluating the extension of these countries' TPS expiration dates, and we look forward to your response.

Sincerely,

Kirsten Gillibrand
United States Senator

Edward J. Markey
United States Senator

Christopher S. Murphy
United States Senator

Cory A. Booker
United States Senator

Robert Menendez
United States Senator

Chris Van Hollen
United States Senator

Tim Kaine
United States Senator

Elizabeth Warren
United States Senator

\(^8\) Baran et al., op. cit.
Charles E. Schumer
United States Senator

Dianne Feinstein
United States Senator
December 4, 2017

The Honorable Elaine C. Duke
Acting Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, D.C. 20528

The Honorable L. Francis Cissna
Director of U.S. Citizenship and Immigration Services
111 Massachusetts Avenue, NW
Washington, D.C. 20008

RE: Publication of Temporary Protected Status Determinations

Dear Acting Secretary Duke and Director Cissna,

We the 126 undersigned represent organizations that are comprised of, represent, and advocate on behalf of Temporary Protected Status (TPS) holders. We write to request the immediate publication of the Federal Register Notices associated with the TPS determinations for Honduras, Nicaragua, and Haiti released on Nov. 6 and Nov. 20, respectively.

We are deeply troubled by what appears to be a trend under the current administration involving the release of TPS determinations on or after the 60-day statutory requirement as well as extended delays in the publication of Federal Register Notices. While we appreciate the amount of time and effort that goes into the decision process, we are deeply concerned about the impact of these delays.

The Immigration and Nationality Act requires, “at least 60 days before the expiration of a country’s TPS designation or extension, the Secretary, after consultation with appropriate Government agencies, must review the conditions in a foreign state designated for TPS and determine whether the conditions for the TPS designation continue to be met. The [Secretary] shall provide on a timely basis for the publication of notice of each such determination, and, in the case of an affirmative decision, the period of extension . . . .” 8 U.S.C. § 1254a(b)(3)(A); INA § 244(b)(1) (emphasis added).

This year, the TPS determinations for Sudan and South Sudan were expected on Sept. 4. Two weeks later, USCIS released the TPS determinations for these countries, extending the designation for South Sudan and terminating the designation for Sudan. In that Sept. 18 communication, Acting Homeland Security Secretary Duke indicated the decision to terminate TPS for Sudan would be managed in an orderly fashion. Unfortunately, this announcement was followed by a Federal Register Notice that was posted for pre-publication and withdrawn,
causing confusion in the field and anxiety among TPS holders. The final Notice was published on Oct. 11, five weeks after the anticipated decision date.

Failure to provide clear and timely instruction to the public on the necessary steps and timelines to comply with these decisions is not only contrary to the statute but is inconsistent with the stated objective of orderly implementation. Prior TPS Federal Register Notices informed employers of employment verification (I-9), documentation, and other requirements. Without this information, employers of TPS holders are unable to properly comply with I-9 processing in a manner consistent with the statute. Failure to timely publish Federal Register Notices also confuses TPS holder employees as to the documentation requirements for TPS, creating obstacles to the timely submission of applications for work authorization and efficient adjudication by the agency.

As a practical matter, the delayed issuance of the Federal Register Notices can have a costly impact on TPS holders and their families by potentially disrupting employment, travel and driving authorization, health insurance, and access to higher education. The delayed publication also inhibits meaningful and productive outreach by USCIS, foreign governments, and legal and social services providers attempting to provide guidance to constituents.

The delayed issuance of the Federal Register Notices also affects the TPS community by creating undue stress, panic, and suffering. This is particularly painful and confusing for TPS holders who have just learned that their TPS protection has been terminated.

In conclusion, the failure to timely publish Federal Register Notices is contrary to the statute and we urge you comply with these obligations. If you have any questions, please contact Jill Marie Bussey at the Catholic Legal Immigration Network, Inc. at jbussey@cliniclegal.org.

Sincerely,

Access Living
Alianza Americas
American Friends Service Committee
American Immigration Lawyers Association
Asian Americans Advancing Justice - Atlanta
CAMBA, Inc.
CARECEN-DC
CARECEN SF

CASA
Casa Mary Johanna
Casa Reina
Catholic Charities Archdiocese of Boston
Catholic Charities Community Services, Archdiocese of New York
Catholic Charities of Pueblo
Catholic Charities of Raleigh
Catholic Charities of the Archdiocese of Washington
Catholic Charities Tompkins/Tioga
Catholic Legal Immigration Network, Inc.
Catholic Migration Services
Catholic Social Services
Central Florida AFL-CIO
Central Florida Jobs with Justice
Centro Comunitario CEUS
Centro Presente
Centro Romero
Chelsea Collaborative, Inc.
Church Council of Greater Seattle
Church World Service
Coalition for Humane Immigrant Rights (CHIRLA)
Community Legal Advocate of New York
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Congregation of St. Joseph
Connecticut Institute for Refugees and Immigrants
CRECEN - Houston
Dominican Development Center/ Immigrant Defense Project
Dominican Sisters of Adrian, Michigan
Dominican Sisters of Houston
Ecumenical Ministries of Oregon
El Centro Hispano, Inc.
El Paracaidista
Fair Immigration Reform Movement (FIRM)
Faith in Florida
FANM-Haitian Women of Miami
First Congregational United Church of Christ
FL Immigrant Coalition
Florida Center for Fiscal and Economic Policy
Florida Student Power Network
Franciscan Action Network
Franklin County Legal Services
Friends of Broward Detainees
Friends of Miami-Dade Detainees
Global Justice Clinic, NYU Law *This communication does not purport to represent the institutional views, if any of NYU
Grand Island Latino Network
Greater New York Labor Religion Coalition
Haitian-Americans United for Progress
Haitian Clergy Association
Harvard College Act On a Dream
Hodureños Unidos de Tampa
Hondurans Against AIDS
Hope CommUnity Center
Houston’s America For All
Immigrant Legal Advocacy Project
Immigrant Legal Center of Boulder County
Immigrant Legal Resource Center
Immigrant Rights Clinic at NYU School of Law
Inter-faith Coalition on Immigration, MN
Interfaith Council of Contra Costa County
InterReligious Task Force on Central America and Colombia
Iowa Justice For Our Neighbors
IUC Ministerios Rios de Agua Viva/Joy Like A River UCC
Jefferson County Immigrant Rights Advocates
Jesuit Social Research Institute/Loyola University New Orleans
Justice For Our Neighbors (Houston, TX)
Justice, Peace and Reconciliation Commission, Priests of the Sacred Heart, U.S. Province
Kentucky Equal Justice Center
Kitsap Immigrant Assistance Center
La Casa de Amistad
La Comunidad, Inc.
La Union del Pueblo Entero
Latin America Working Group (LAWG)
Latin American Legal Defense and Education Fund (LALDEF)
Latino Commission on AIDS
Law Office of Steffani Powell
Leadership Conference of Women Religious
Lutheran Church of Our Redeemer
Lutheran Immigration and Refugee Service
Lutheran Social Services of New York
Maryknoll Office for Global Concerns
Mi Casa
Mi Familia Vota
National Advocacy Center of the Sisters of the Good Shepherd
National Justice for Our Neighbors
New Florida Majority
New York Immigration Coalition
New York Law School Asylum Clinic
NHCUCC Immigration Group
Office of Social Justice, Christian Reformed Church in North America
Orange County Classroom Teachers Association
Organize Florida
Our Lady Queen of Peace Catholic Church
Pax Christi USA Ambassador of Peace
PICO National Network
Presbyterian Church (U.S.A.)
Presentation Sisters at Caminando Juntos
Project IRENE
Queer Detainee Empowerment Project
Red Mexicana de Lideres y Organizaciones Migrantes
Reformed Church of Highland Park
Refugee & Immigration Ministries, Christian Church (Disciples of Christ)
Saint Patrick's Church, Baltimore
Salvadoran American National Network (SANN)
Salvadoran Association of Los Angeles /ASOSAL
School Sisters of Notre Dame - Central Pacific Province
SEIU 32BJ
Service Employees International Union (SEIU)
Sisters of Mercy of the Americas - Institute Justice Team
Sisters of Mercy of the Holy Cross
Sisters of Mercy West Midwest Community Justice Team
Sisters of Saint Joseph of Chestnut Hill, Philadelphia
Sisters of St. Joseph of the Third Order of St. Francis
Sisters of the Living Word
South Florida Interfaith Worker Justice
Students Working for Equal Rights
Tennessee Immigrant and Refugee Rights Coalition
The Episcopal Church of Saint Paul et les Martyrs d'Haiti
The Farmworker Association of Florida, Inc.
The Right to Immigration Institute (TRII)
Unitarian Universalist Mass Action Network
United Families
Wallingford Indivisible
WeCount!
Women Working Together USA
Youth and Young Adult Network of the Farmworker Ministry

cc: Julie Kirchner, Citizenship and Immigration Services Ombudsman at the Department of Homeland Security
    Oliver Potts, Director, Office of Federal Register
Good morning all,

Thanks for the good discussions yesterday regarding Haiti TPS and our call with DOS. This morning’s call with State went well. The acting A/S for PRM (Simon Henshaw) and acting PDAS for WHA Ken Merten were on the call with the conversation principally between the 3 of us. (Kathy and please chime in if I’ve missed any points).

Here is the quick recap:

- DOS advised that a joint proposal (PRM/WHa) re: Haiti TPS has been agreed upon to put forward for the SecState to consider providing then to S1;

- DOS expressed concern whether S1 would yet consider a letter/recommendation from SecState having already received our USCIS recommendation;

- Noting I could not speak for S1’s decision-making, I said I believed a recommendation from SecState would not be unwelcome but, of course, that is time sensitive as a FRN needs to be put forward by NLT May 22nd (and S1 would make a decision several days prior at the latest);

- DOS indicated they plan to put forward for briefing and to have a memo from SecState, if he decides to do so, by nlt May 15th. I noted it would be very helpful to have prior as we cannot speak to when S1 may make a decision;

- We further discussed process and noted our memo went forward to S1 following the repeated asks of DOS (we are resending the staff level emails to DOS so folks are on the same page as to what was requested and by whom);

- DOS agreed with my ask that we coordinate messaging very closely once a decision is made by our S1;

- DOS/WHa indicated that in a meeting with the Haitian President several weeks ago Haiti TPS had not been raised;

- Finally, DOS asked, and I agreed, to have a follow-up call next Friday to have further visibility on status on next steps (including the status of State’s pending memo/recommendation to S1).

Please let us know if you have any questions? Thanks all.
James

James W. McCament

Director (Acting) | Deputy Director

U.S. Citizenship and Immigration Services

Department of Homeland Security

(Deputy Director’s Office)

(b)(6)

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DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[CIS No. 2596-16; DHS Docket No. USCIS-2014-0001]

RIN 1615-ZB63

Extension of the Designation of Haiti for Temporary Protected Status


ACTION: Notice.

SUMMARY: Through this Notice, the Department of Homeland Security (DHS) announces that the Secretary of Homeland Security (Secretary) is extending the designation of Haiti for Temporary Protected Status (TPS) for 6 months, from July 23, 2017, through January 22, 2018. The Secretary has determined that a limited, 6-month extension is warranted because, although Haiti has made significant progress in recovering from the January 2010 earthquake that prompted its initial designation, conditions in Haiti supporting its designation for TPS continue to be met at this time. The Secretary is committed to making TPS determinations that fully comply with the Immigration and Nationality Act and the intent of the program to provide a temporary form of immigration relief and protection to eligible individuals who cannot return to their home country due to ongoing armed conflict, environmental disasters, or other extraordinary and temporary conditions. This Notice also sets forth procedures necessary for nationals of Haiti (or aliens having no nationality who last habitually resided in Haiti) to re-register for TPS and to apply for renewal of their Employment Authorization Documents (EAD) with U.S. Citizenship and Immigration Services (USCIS). The current EADs, with a facial expiration date of July 22, 2017, held by beneficiaries of Haiti TPS are also automatically
extended by this Notice through January 22, 2018. USCIS will issue EADs with a January 22, 2018 expiration date to eligible Haiti TPS beneficiaries who timely re-register and apply for EADs under this extension. TPS beneficiaries are reminded that, prior to the conclusion of this period, the Secretary will re-evaluate the designation for Haiti and decide anew whether extension, redesignation, or termination is warranted. During this period, beneficiaries are encouraged to prepare for their return to Haiti in the event Haiti’s designation is not extended again, including requesting updated travel documents from the Government of Haiti.

DATES: Extension of Designation of Haiti for TPS: The 6-month extension of the TPS designation of Haiti is effective July 23, 2017, and will remain in effect through January 22, 2018. The 60-day re-registration period runs from [Insert date of publication in the FEDERAL REGISTER] through [Insert date 60 days from date of publication in the FEDERAL REGISTER].

FURTHER INFORMATION:

- For further information on TPS, including guidance on the application process and additional information on eligibility, please visit the USCIS TPS Web page at http://www.uscis.gov/tps. You can find specific information about Haiti’s TPS extension by selecting “Haiti” from the menu on the left side of the TPS Web page.

- You can also contact Guillermo Roman-Riefkohl, TPS Operations Program Manager, at the Waivers and Temporary Services Branch, Service Center Operations Directorate, U.S. Citizenship and Immigration Services, Department of Homeland Security, 20 Massachusetts Avenue, NW, Washington, DC 20529-2060; or by phone at 202-272-1533 (this is not a toll-free number). Note: The phone number provided here is solely for questions regarding this TPS Notice. It is not for individual case status inquiries.
• Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at http://www.uscis.gov, or call the USCIS National Customer Service Center at 800-375-5283 (TTY 800-767-1833). Service is available in English and Spanish.

• Further information will also be available at local USCIS offices upon publication of this Notice.

SUPPLEMENTARY INFORMATION:

Table of Abbreviations

BIA – Board of Immigration Appeals

DHS – Department of Homeland Security

DOS – Department of State

EAD – Employment Authorization Document

FNC – Final Nonconfirmation

IJ – Immigration Judge

INA – Immigration and Nationality Act

IER – U.S. Department of Justice Civil Rights Division, Immigrant and Employee Rights Section

SAVE – USCIS Systematic Alien Verification for Entitlements Program

Secretary – Secretary of Homeland Security

TNC – Tentative Nonconfirmation

TPS – Temporary Protected Status

TTY – Text Telephone

USCIS – U.S. Citizenship and Immigration Services
The extension allows TPS beneficiaries to maintain TPS through January 22, 2018, so long as they continue to meet the eligibility requirements for TPS. The Secretary has determined that an extension is warranted because the conditions in Haiti that prompted the TPS designation, while significantly improved, continue to be met. There continue to be extraordinary and temporary conditions in Haiti that prevent Haitian nationals (or aliens having no nationality who last habitually resided in Haiti) from returning to Haiti in safety. The Secretary also has determined that permitting such Haitian nationals to continue to remain in the United States, at this time, is not contrary to the national interest of the United States.

TPS beneficiaries are reminded that, prior to the conclusion of this six-month extension period, the Secretary will re-evaluate Haiti’s TPS designation and decide anew whether extension, redesignation, or termination is warranted. Because the designation of TPS was intended by Congress to be temporary in nature, and because the Government of Haiti has expressed a desire for its nationals to return to Haiti, the Secretary will fully re-evaluate the country conditions and any other factors he deems necessary to determine whether Haiti’s TPS designation should continue. Among those factors, the Secretary will consider whether permitting Haitian nationals to remain in the United States is contrary to the national interest of the United States.

Thus, during this limited six-month period, beneficiaries are encouraged to prepare for their return to Haiti, including requesting updated travel documents from the Government of Haiti. The Secretary is committed to working with the Government of Haiti to ensure an orderly transition should Haiti’s TPS designation be terminated at the conclusion of this limited six-month extension.

Re-registration is limited to persons who have previously registered for TPS under the
designation of Haiti and whose applications have been granted. Certain nationals of Haiti (or aliens having no nationality who last habitually resided in Haiti) who have not previously applied for TPS may be eligible to apply under the late initial registration provisions if they meet (1) at least one of the late initial filing criteria in 8 C.F.R. 244.2(f)(2), which are also described on the TPS Web page at https://www.uscis.gov/humanitarian/temporary-protected-status, and (2) all TPS eligibility criteria (including continuous residence in the United States since January 12, 2011, and continuous physical presence in the United States since July 23, 2011).

For individuals who have already been granted TPS under Haiti’s designation, the 60-day re-registration period runs from [Insert date of publication in the FEDERAL REGISTER] through [Insert date 60 days from date of publication in the FEDERAL REGISTER]. USCIS will issue EADs with a January 22, 2018 expiration date to eligible Haiti TPS beneficiaries who timely re-register and apply for EADs under this extension. Given the timeframes involved with processing TPS re-registration applications, DHS recognizes that not all re-registrants will receive new EADs before their current EADs expire on July 22, 2017. Accordingly, through this Notice, DHS automatically extends the validity of EADs issued under the TPS designation of Haiti for 6 months, through January 22, 2018, and explains how TPS beneficiaries and their employers may determine which EADs are automatically extended and their impact on the Employment Eligibility Verification (Form I-9) and E-Verify processes. There are approximately 46,000 current Haiti TPS beneficiaries who are expected to file for re-registration under the extension.

What is Temporary Protected Status (TPS)?
• TPS is a temporary immigration status granted to eligible nationals of a country designated for TPS under the Immigration and Nationality Act (INA), or to eligible persons without nationality who last habitually resided in the designated country.

• During the TPS designation period, TPS beneficiaries are eligible to remain in the United States, may not be removed, and are authorized to work and obtain EADs so long as they continue to meet the requirements of TPS.

• TPS beneficiaries may also be granted travel authorization as a matter of discretion.

• The granting of TPS does not result in or lead to lawful permanent resident status.

• When the Secretary terminates a country’s TPS designation, beneficiaries return to the same immigration status they maintained before TPS, if any (unless that status has since expired or been terminated), or to any other lawfully obtained immigration status they received while registered for TPS.

**When was Haiti designated for TPS?**

On January 21, 2010, the Secretary designated Haiti for TPS based on extraordinary and temporary conditions within the country, specifically the effects of the 7.0-magnitude earthquake that occurred on January 12, 2010. See Designation of Haiti for Temporary Protected Status, 75 FR 3476 (Jan. 21, 2010). In 2011, the Secretary both extended Haiti’s designation and redesignated Haiti for TPS for 18 months through January 22, 2013. See Extension and Redesignation of Haiti for Temporary Protected Status, 76 FR 29000 (May 19, 2011). This announcement is the fourth extension of TPS for Haiti since the 2011 redesignation. The Secretary last extended Haiti’s designation on August 25, 2015. See Extension of the Designation of Haiti for Temporary Protected Status, 80 FR 51582 (Aug. 25, 2015).

**What authority does the Secretary of Homeland Security have to extend the designation of**
Haiti for TPS?

Section 244(b)(1) of the INA, 8 U.S.C. 1254a(b)(1), authorizes the Secretary, after consultation with appropriate agencies of the U.S. Government, to designate a foreign state (or part thereof) for TPS if the Secretary finds that certain country conditions exist. The Secretary may then grant TPS to eligible nationals of that foreign state (or eligible aliens having no nationality who last habitually resided in the designated country). See INA section 244(a)(1)(A), 8 U.S.C. 1254a(a)(1)(A).

At least 60 days before the expiration of a country’s TPS designation or extension, the Secretary, after consultation with appropriate U.S. Government agencies, must review the conditions in a foreign state designated for TPS to determine whether the conditions for the TPS designation continue to be met. See INA section 244(b)(3)(A), 8 U.S.C. 1254a(b)(3)(A). If following this review the Secretary determines that a foreign state continues to meet the conditions for TPS designation (or makes no determination at all), the designation must be extended for an additional period of 6 months or, in the Secretary’s discretion, for an additional 12 or 18 months. See INA section 244(b)(3)(A), (C), 8 U.S.C. 1254a(b)(3)(A), (C). If the Secretary determines that the foreign state no longer meets the conditions for TPS designation, the Secretary must terminate the designation. See INA section 244(b)(3)(B), 8 U.S.C. 1254a(b)(3)(B).

Why is the Secretary extending the TPS designation for Haiti through January 22, 2018?

Since the last extension was announced, DHS has reviewed conditions in Haiti. Based on this review and after consulting with DOS, the Secretary has determined that a limited, 6-month

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extension is warranted because, although Haiti has made significant progress in recovering from the January 2010 earthquake that prompted its initial designation, conditions in Haiti supporting its designation for TPS persist.

Although lingering effects of the 2010 earthquake remain, Haiti has made significant progress in addressing issues specific to the earthquake, as its economy continues to recover and grow. For example, 96% of people displaced by the earthquake and living in internally displaced person (IDP) camps have left those camps. Over 98% of the IDP camps have closed. However, over 55,000 Haitians who lost their homes in the earthquake are still living in 31 camps for internally displaced persons without viable options to leave. Gender-based violence in these camps continues to be a serious concern, and personal security is a serious and pervasive issue. Some people who were displaced by the earthquake, although no longer in camps, have moved back to unsafe homes or relocated to informal settlements located in hazardous areas. However, demonstrating improvement in Haiti’s security situation, in March 2017, the United Nations announced that the mandate of the United Nations peacekeeping mission in Haiti will end in October 2017, to be replaced by a new police-only mission focused on rule of law.

Hurricane Matthew made landfall in Haiti on October 4, 2016, causing extensive damage to crops, housing, livestock, and infrastructure across Haiti’s southwest peninsula. The Government of Haiti confirmed 546 fatalities from the storm, and over 175,000 people were left without housing. The most significant impact from the storm was concentrated in 3 of Haiti’s 10 departments—Nippes, Grand’Anse, and Sud. Minimal damage was inflicted on the rest of the country, including the capital, Port-au-Prince, and the second largest city, Cap-Haïtien. Still, significant losses of crops and livestock in the regions damaged by Hurricane Matthew impacted the entire country.
Heavy rains in late April 2017 caused flooding and landslides in South, South East, Grand'Anse, and Nippes departments, with South department most impacted. At least four people were killed, nearly 10,000 homes may have been damaged, and at least 350,000 people may have been affected. According to a Haitian government official, an estimated 80% of the spring harvest in South department may have been destroyed. The damage from Hurricane Matthew and the recent heavy rains are compounding the existing food insecurity experienced by an estimated 3.2 million people (approximately 30 percent of the population) in September 2016.

Haiti’s weak public health system is further strained due to an ongoing cholera epidemic, whose inception was traced to U.N. peacekeepers assisting with earthquake recovery. Since October 2010, close to 800,000 Haitians have contracted cholera, and nearly 10,000 people have died from the disease. However, progress has been made in combatting cholera, and Haiti has made some progress in the health sector in recent years. Nevertheless, Haiti faces longstanding public health challenges, where 40% of the population lacked access to basic health services before the 2010 earthquake. As of 2016, this figure remains the same – 40% of the population lacks access to fundamental health and nutrition services. While the lack of access to safe drinking water and Haiti’s weak sanitation infrastructure remain significant concerns, these are not new problems. Extreme poverty, corruption, and low levels of education in Haiti challenge its resilience and have contributed to the government’s longstanding inability to adequately provide for the security, health, and safety of its citizenry.

Based upon this review and after consultation with appropriate U.S. Government agencies, the Secretary has determined that:

- The conditions that prompted the July 23, 2011 redesignation of Haiti for TPS continue to be met. See INA section 244(b)(3)(A) and (C), 8 U.S.C. 1254a(b)(3)(A) and (C).
• There continue to be extraordinary and temporary conditions in Haiti that prevent Haitian nationals (or aliens having no nationality who last habitually resided in Haiti) from returning to Haiti in safety. See INA section 244(b)(1)(C), 8 U.S.C. 1254a(b)(1)(C).

• It is not contrary to the national interest of the United States to permit Haitians (or aliens having no nationality who last habitually resided in Haiti) who meet the eligibility requirements of TPS to remain in the United States temporarily. See INA section 244(b)(1)(C), 8 U.S.C. 1254a(b)(1)(C).

• The designation of Haiti for TPS should be extended for a 6-month period from July 23, 2017, through January 22, 2018. See INA section 244(b)(3)(C), 8 U.S.C. 1254a(b)(3)(C).

• It is in the best interest of TPS beneficiaries to prepare for their return to Haiti in the event that Haiti’s TPS designation is not extended again, including requesting updated travel documents from the Government of Haiti.
Notice of Extension of the TPS Designation of Haiti

By the authority vested in me as Secretary under INA section 244, 8 U.S.C. 1254a, I have determined, after consultation with the appropriate U.S. Government agencies, that the conditions that prompted the redesignation of Haiti for TPS on July 23, 2011, continue to be met. See INA section 244(b)(3)(A), 8 U.S.C. 1254a(b)(3)(A). On the basis of this determination, I am extending the existing designation of Haiti for TPS for 6 months, from July 23, 2017, through January 22, 2018. See INA section 244(b)(1)(C) and (b)(2), 8 U.S.C. 1254a(b)(1)(C) and (b)(2).

John F. Kelly,
Secretary.
Required Application Forms and Application Fees to Register or Re-register for TPS

To register or re-register for TPS based on the designation of Haiti, an applicant must submit each of the following two applications:

1. Application for Temporary Protected Status (Form I-821).
   - If you are filing an application for late initial registration, you must pay the fee for the Application for Temporary Protected Status (Form I-821). See 8 CFR 244.2(f)(2) and 244.6 and information on late initial filing on the USCIS TPS Web page at http://www.uscis.gov/tps.
   - If you are filing an application for re-registration, you do not need to pay the fee for the Application for Temporary Protected Status (Form I-821). See 8 CFR 244.17.

   - If you are applying for late initial registration and want an EAD, you must pay the fee (or request a fee waiver) for the Application for Employment Authorization (Form I-765) only if you are age 14 through 65. No fee for the Application for Employment Authorization (Form I-765) is required if you are under the age of 14 or are age 66 or older and applying for late initial registration.
   - If you are applying for re-registration, you must pay the fee (or request a fee waiver) for the Application for Employment Authorization (Form I-765) only if you want an EAD, regardless of age.
   - You do not pay the fee for the Application for Employment Authorization (Form I-765) if you are not requesting an EAD, regardless of whether you are applying for late initial registration or re-registration.
   - If you do not want to request an EAD now, you may also file Form I-765 later to request an
EAD, and pay the fee (or request a fee waiver), provided that you still have TPS or a pending TPS application. Your EAD application will be considered timely filed even if the date on your current TPS-related EAD has expired.

You must submit both completed application forms together, even if you are not currently requesting an EAD. If you are unable to pay for the Application for Employment Authorization (Form I-765) and/or biometric services fee, you may apply for a fee waiver by completing a Request for Fee Waiver (Form I-912) or submitting a personal letter requesting a fee waiver, and by providing satisfactory supporting documentation. For more information on the application forms and fees for TPS, please visit the USCIS TPS Web page at http://www.uscis.gov/tps. Fees for the Application for Temporary Protected Status (Form I-821), the Application for Employment Authorization (Form I-765), and biometric services are also described in 8 CFR 103.7(b)(1)(i).

**Biometric Services Fee**

Biometrics (such as fingerprints) are required for all applicants 14 years of age or older. Those applicants must submit a biometric services fee. As previously stated, if you are unable to pay for the biometric services fee, you may apply for a fee waiver by completing a Request for Fee Waiver (Form I-912) or by submitting a personal letter requesting a fee waiver, and providing satisfactory supporting documentation. For more information on the biometric services fee, please see the Instructions to Form I-821 or visit the USCIS website at http://www.uscis.gov. If necessary, you may be required to visit an Application Support Center (ASC) to have your biometrics captured. In such case, USCIS will send you an ASC scheduling notice.

**Re-filing a Re-registration TPS Application after Receiving a Denial of a Fee Waiver**
Request

USCIS urges all re-registering applicants to file as soon as possible within the 60-day re-registration period so that USCIS can process the applications and issue EADs promptly. Filing early will also allow those applicants who may receive denials of their fee waiver requests to have time to re-file their applications before the re-registration deadline. If, however, an applicant receives a denial of his or her fee waiver request and is unable to re-file by the re-registration deadline, the applicant may still re-file his or her application. This situation will be reviewed to determine whether the applicant has established good cause for late re-registration. However, applicants are urged to re-file within 45 days of the date on their USCIS fee waiver denial notice, if at all possible. See INA section 244(c)(3)(C); 8 U.S.C. 1254a(c)(3)(C); 8 CFR 244.17(c). For more information on good cause for late re-registration, visit the USCIS TPS webpage at http://www.uscis.gov/tps. Note: As previously stated, although a re-registering TPS beneficiary age 14 or older must pay the biometric services fee (but not the initial TPS application fee) when filing a TPS re-registration application, the applicant may decide to wait to request an EAD, and therefore not pay the Application for Employment Authorization (Form I-765) fee until after USCIS has approved the individual’s TPS re-registration, if he or she is eligible. If you choose to do this, you would file the Application for Temporary Protected Status (Form I-821) with the fee and the Application for Employment Authorization (Form I-765) without the fee and without requesting an EAD.

Mailing Information

Mail your application for TPS to the proper address in Table 1.

<table>
<thead>
<tr>
<th>If...</th>
<th>Mail to...</th>
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Table 1-Mailing Addresses
<table>
<thead>
<tr>
<th>You live in Florida</th>
<th>For U.S. Postal Service:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>U.S. Citizenship and Immigration Services</td>
</tr>
<tr>
<td></td>
<td>P.O. Box 4464</td>
</tr>
<tr>
<td></td>
<td>Chicago, IL 60680</td>
</tr>
<tr>
<td>For FedEx, UPS, and DHL deliveries:</td>
<td>U.S. Citizenship and Immigration Services</td>
</tr>
<tr>
<td></td>
<td>Attn: Haiti TPS</td>
</tr>
<tr>
<td></td>
<td>131 S. Dearborn – 3rd Floor</td>
</tr>
<tr>
<td></td>
<td>Chicago, IL 60603</td>
</tr>
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<table>
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<td>U.S. Citizenship and Immigration Services</td>
</tr>
<tr>
<td></td>
<td>P.O. Box 660167</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75266</td>
</tr>
<tr>
<td>For FedEx, UPS, and DHL deliveries:</td>
<td>U.S. Citizenship and Immigration Services</td>
</tr>
<tr>
<td></td>
<td>Attn: Haiti TPS</td>
</tr>
<tr>
<td></td>
<td>2501 S. State Highway, 121 Business Suite 400</td>
</tr>
<tr>
<td></td>
<td>Lewisville, TX 75067</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>You live in any other state</th>
<th>For U.S. Postal Service:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>U.S. Citizenship and Immigration Services</td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
<td>Phoenix, AZ 85074</td>
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<tr>
<td>For FedEx, UPS, and DHL deliveries:</td>
<td>U.S. Citizenship and Immigration Services</td>
</tr>
<tr>
<td></td>
<td>Attn: Haiti TPS</td>
</tr>
<tr>
<td></td>
<td>1820 E. Skyharbor Circle S, Suite 100</td>
</tr>
<tr>
<td></td>
<td>Phoenix, AZ 85034</td>
</tr>
</tbody>
</table>

If you were granted TPS by an Immigration Judge (IJ) or the Board of Immigration Appeals (BIA) and you wish to request an EAD or are re-registering for the first time following a
grant of TPS by an IJ or the BIA, please mail your application to the appropriate address in Table 1. When submitting a re-registration application and/or requesting an EAD based on an IJ/BIA grant of TPS, please include a copy of the IJ or BIA order granting you TPS with your application. This will aid in the verification of your grant of TPS and processing of your application, as USCIS may not have received records of your grant of TPS by either the IJ or the BIA.

**Supporting Documents**

What type of basic supporting documentation must I submit?

To meet the basic eligibility requirements for TPS, you must submit evidence that you:

- Are a national of Haiti or an alien having no nationality who last habitually resided in Haiti.

Such documents may include a copy of your passport if available, other documentation issued by the Government of Haiti showing your nationality (e.g., national identity card, official travel documentation issued by the Government of Haiti), and/or your birth certificate with English translation accompanied by photo identification. USCIS will also consider certain forms of secondary evidence supporting your Haitian nationality. If the evidence presented is insufficient for USCIS to make a determination as to your nationality, USCIS may request additional evidence. If you cannot provide a passport, birth certificate with photo identification, or a national identity document with your photo or fingerprint, you must submit an affidavit showing proof of your unsuccessful efforts to obtain such documents and affirming that you are a national of Haiti. However, please be aware that an interview with an immigration officer will be required if you do not present any documentary proof of identity or nationality or if USCIS otherwise requests a personal appearance. See 8 CFR 103.2(b)(9), 244.9(a)(1);
• Have continuously resided in the United States since January 12, 2011. See INA section 244(c)(1)(A)(ii); 8 U.S.C. 1254a(c)(1)(A)(ii); 8 CFR 244.9(a)(2); and


The filing instructions on the Application for Temporary Protected Status (Form I-821) list all the documents needed to establish basic eligibility for TPS. You may also find information on the acceptable documentation and other requirements for applying for TPS on the USCIS website at www.uscis.gov/tps under “Haiti.”

Do I need to submit additional supporting documentation?

If one or more of the questions listed in Part 4, Question 2 of the Application for Temporary Protected Status (Form I-821) applies to you, then you must submit an explanation on a separate sheet(s) of paper and/or additional documentation. Depending on the nature of the question(s) you are addressing, additional documentation alone may suffice, but usually a written explanation will also be needed.

EAD

How can I obtain information on the status of my EAD request?

To get case status information about your TPS application, including the status of a request for an EAD, you can check Case Status Online at http://www.uscis.gov, or call the USCIS National Customer Service Center at 800-375-5283 (TTY 800-767-1833). If your Application for Employment Authorization (Form I-765) has been pending for more than 90 days and you still need assistance, you may request an EAD inquiry appointment with USCIS by using the InfoPass system at https://infopass.uscis.gov. However, we strongly encourage you first to check Case Status Online or call the USCIS National Customer Service Center for
assistance before making an InfoPass appointment.

Am I eligible to receive an automatic 6-month extension of my current EAD through January 22, 2018?

Provided that you currently have a Haiti TPS-based EAD, this Notice automatically extends your EAD by 6 months if you:

- Are a national of Haiti (or an alien having no nationality who last habitually resided in Haiti);
- Received an EAD under the designation of Haiti for TPS; and
- Have an EAD with a marked expiration date of July 22, 2017, bearing the notation “A-12” or “C-19” on the face of the card under “Category.”

Although this Notice automatically extends your EAD through January 22, 2018, you must re-register timely for TPS in accordance with the procedures described in this Notice if you would like to maintain your TPS.

Please Note: A newly revised DHS regulation at 8 CFR 274a.13(d), effective on January 17, 2017, also provides a 180-day automatic extension of TPS-related EADs, where the EAD bearer has timely filed for renewal of his or her EAD. For purposes of 8 CFR 274a.13(d)(1)(i), a Form I-765 will be considered “timely filed” at any time when the applicant has TPS or a pending application for TPS. See 81 FR 82398, 82491 (November 18, 2016). However, before you file your request for an EAD renewal, the automatic 6-month EAD extension provided in this Notice will help prevent any gaps in your employment documentation until your new EAD arrives, provided you remain eligible for a TPS-related EAD. Although not mandatory, you are strongly encouraged to file as soon as possible for your renewal EAD during the 60-day re-registration period for TPS to ensure that, if eligible, you receive your new EAD before your current, auto-extended EAD expires.
When hired, what documentation may I show to my employer as proof of employment authorization and identity when completing Employment Eligibility Verification (Form I-9)?

You can find a list of acceptable document choices on the “Lists of Acceptable Documents” for Form I-9. You can find additional detailed information about Form I-9 on the USCIS I-9 Central Web page at http://www.uscis.gov/I-9Central. Employers are required to verify the identity and employment authorization of all new employees by using Form I-9. Within 3 days of hire, an employee must present proof of identity and employment authorization to his or her employer.

You may present any document from List A (which reflect both identity and employment authorization), or one document from List B (which reflects your identity) together with one document from List C (which reflects employment authorization), or you may present an acceptable receipt for List A, List B, or List C documents as described in the Form I-9 Instructions. An EAD is an acceptable document under List A. Employers may not reject a document based on a future expiration date.

If your EAD has an expiration date of July 22, 2017, and states “A-12” or “C-19” under “Category,” it has been extended automatically for 6 months by virtue of this Federal Register Notice, and you may choose to present your EAD to your employer as proof of identity and employment authorization for Form I-9 through January 22, 2018 (see the subsection titled “How do my employer and I complete the Employment Eligibility Verification (Form I-9) using an automatically extended EAD for a new job?” for further information). To minimize confusion over this extension at the time of hire, you should explain to your employer that USCIS has automatically extended your EAD through January 22, 2018. You may also show your employer a copy of this Federal Register Notice confirming the automatic extension of employment
authorization through January 22, 2018, a copy of the receipt notice (Form I-797C) for your EAD renewal application where it also states the 180-day automatic extension of your current EAD, or both. Please note that you may show your employer this Notice to confirm the automatic extension of your EAD even if you have not yet filed to renew your EAD or received the Form I-797C receipt notice for your EAD renewal request. As an alternative to presenting your automatically extended EAD, you may choose to present any other acceptable document from List A, a combination of one selection from List B and one selection from List C, or a valid receipt.

What documentation may I show my employer to complete Employment Verification (Form I-9) if I am already employed but my current TPS-related EAD is set to expire?

Even though EADs with an expiration date of July 22, 2017, that state “A-12” or “C-19” under “Category” have been automatically extended for 6 months by this Federal Register Notice, your employer will need to ask you about your continued employment authorization once July 22, 2017, is reached to meet its responsibilities for Form I-9. Your employer may need to re-inspect your automatically extended EAD to check the expiration date and eligibility code to record the updated expiration date on your Form I-9 if he or she did not keep a copy of this EAD when you initially presented it. However, your employer does not need a new document to re-verify your employment authorization until January 22, 2018, the expiration date of the automatic extension. Instead, you and your employer must make corrections to the employment authorization expiration dates in Section 1 and Section 2 of Form I-9 (see the subsection titled “What corrections should my current employer and I make to Employment Eligibility Verification (Form I-9) if my EAD has been automatically extended?” for further information). In addition, you may also show this Federal Register Notice to your employer to explain what to
do for Form I-9, even if you have not yet filed a renewal application for your current EAD.

If you do file your Form I-765 to renew your current EAD, and you receive a USCIS receipt notice (Form I-797C) stating that your current “A-12” or “C-19” coded EAD is automatically extended for 180 days, you may also show that receipt notice to your employer along with your EAD to confirm automatic extension of employment authorization through January 22, 2018, unless your TPS has been finally withdrawn or your request for TPS has been finally denied.

By January 22, 2018, the expiration date of the automatic extension, your employer must re-verify your employment authorization. At that time, you must present any document from List A or any document from List C on Form I-9 to re-verify employment authorization, or an acceptable List A or List C receipt described in the Form I-9 Instructions. Your employer should complete either Section 3 of the Form I-9 originally completed for you or, if this section has already been completed or if the version of Form I-9 has expired (check the date in the bottom left-hand corner of the form), complete Section 3 of a new Form I-9 using the most current version. Note that your employer may not specify which List A or List C document employees must present and cannot reject an acceptable receipt.

Can my employer require that I provide any other documentation to prove my status, such as proof of my Haitian citizenship?

No. When completing Form I-9, including re-verifying employment authorization, employers must accept any documentation that appears on the “Lists of Acceptable Documents” for Form I-9 that reasonably appears to be genuine and that relates to you, or an acceptable List A, List B, or List C receipt. Employers may not request documentation that does not appear on the “Lists of Acceptable Documents.” Therefore, employers may not request proof of Haitian
citizenship or proof of re-registration for TPS when completing Form I-9 for new hires or re-verifying the employment authorization of current employees. If presented with EADs that have been automatically extended, employers should accept such EADs as valid List A documents so long as the EADs reasonably appear to be genuine and to relate to the employee. Refer to the Note to Employees section of this Notice for important information about your rights if your employer rejects lawful documentation, requires additional documentation, or otherwise discriminates against you based on your citizenship or immigration status, or your national origin.

How do my employer and I complete Employment Eligibility Verification (Form I-9) using an automatically extended EAD for a new job?

When using an automatically extended EAD to complete Form I-9 for a new job before January 22, 2018, you and your employer should do the following:

1. For Section 1, you should:
   a. Check “An alien authorized to work until” and enter the automatically extended EAD expiration date (January 22, 2018) in the space provided; and
   b. Enter your Alien Number /USCIS number or A-Number where indicated (your EAD or other document from DHS will have your USCIS Number or A-Number printed on it; the USCIS number is the same as your A-Number without the A prefix).

2. To record an automatically extended EAD in Section 2, employers should enter the:
   a. Document title;
   b. Issuing authority;
   c. Document number; and
   d. Automatically extended EAD expiration date (January 22, 2018).
By January 22, 2018, employers must re-verify the employee’s employment authorization in Section 3 of the Form I-9.

What corrections should my current employer and I make to Employment Eligibility Verification (Form I-9) if my EAD has been automatically extended?

If you are an existing employee who presented a TPS-related EAD that was valid when you first started your job, but that EAD has now been automatically extended, your employer may need to re-inspect your automatically extended EAD if your employer does not have a copy of the EAD on file, and you and your employer should correct your previously completed Form I-9 as follows:

1. For Section 1, you should:
   a. Draw a line through the expiration date in Section 1;
   b. Write “January 22, 2018” above the previous date;
   c. Write “TPS Ext.” in the margin of Section 1; and
   d. Initial and date the correction in the margin of Section 1.

2. For Section 2, employers should:
   a. Draw a line through the expiration date written in Section 2;
   b. Write “January 22, 2018” above the previous date;
   c. Write “TPS Ext.” in the Additional Information field of Section 2; and
   d. Initial and date the correction in the margin of Section 2.

By January 22, 2018, when the automatic extension of EADs expires, employers must re-verify the employee’s employment authorization in Section 3.

If I am an employer enrolled in E-Verify, what do I do when I receive a “Work Authorization Documents Expiration” alert for an automatically extended EAD?
E-Verify automated the verification process for employees whose TPS-related EAD was automatically extended in a Federal Register Notice. If you have an employee who is a TPS beneficiary who provided a TPS-related EAD when he or she first started working for you, you will receive a “Work Authorization Documents Expiring” case alert when the auto-extension period for this EAD is about to expire. By January 22, 2018, employment authorization must be re-verified in Section 3. Employers should not use E-Verify for reverification.

**Note to All Employers**

Employers are reminded that the laws requiring proper employment eligibility verification and prohibiting unfair immigration-related employment practices remain in full force. This Notice does not supersede or in any way limit applicable employment verification rules and policy guidance, including those rules setting forth reverification requirements. For general questions about the employment eligibility verification process, employers may call USCIS at 888-464-4218 (TTY 877-875-6028) or email USCIS at I-9Central@dhs.gov. Calls and emails are accepted in English and many other languages. For questions about avoiding discrimination during the employment eligibility verification process (Form I-9 and E-Verify), employers may also call the U.S. Department of Justice’s Civil Rights Division, Immigrant and Employee Rights Section (IER), formerly the Office of Special Counsel for Immigration-Related Unfair Employment Practices, Employer Hotline at 800-255-8155 (TTY 800-237-2515), which offers language interpretation in numerous languages, or email IER at IER@usdoj.gov.

**Note to Employees**

For general questions about the employment eligibility verification process, employees may call USCIS at 888-897-7781 (TTY 877-875-6028) or email at I-9Central@dhs.gov. Calls are accepted in English, Spanish, and many other languages. Employees or applicants may also
call the IER Worker Hotline at 800-255-7688 (TTY 800-237-2515) for information regarding employment discrimination based upon citizenship, immigration status, or national origin, including discrimination related to Employment Eligibility Verification (Form I-9) and E-Verify. The IER Worker Hotline provides language interpretation in numerous languages.

To comply with the law, employers must accept any document or combination of documents from the Lists of Acceptable Documents if the documentation reasonably appears to be genuine and to relate to the employee, or an acceptable List A, List B, or List C receipt as described in the Employment Eligibility Verification (Form I-9) Instructions. Employers may not require extra or additional documentation beyond what is required for Employment Eligibility Verification (Form I-9) completion. Further, employers participating in E-Verify who receive an E-Verify case result of “Tentative Nonconfirmation” (TNC) must promptly inform employees of the TNC and give such employees an opportunity to contest the TNC. A TNC case result means that the information entered into E-Verify from Employment Eligibility Verification (Form I-9) differs from Federal or state government records.

Employers may not terminate, suspend, delay training, withhold pay, lower pay, or take any adverse action against an employee based on the employee’s decision to contest a TNC or because the case is still pending with E-Verify. A Final Nonconfirmation (FNC) case result is received when E-Verify cannot verify an employee’s employment eligibility. An employer may terminate employment based on a case result of FNC. Work-authorized employees who receive an FNC may call USCIS for assistance at 888-897-7781 (TTY 877-875-6028). For more information about E-Verify related discrimination or to report an employer for discrimination in the E-Verify process based on citizenship or immigration status, or based on national origin, contact IER’s Worker Hotline at 800-255-7688 (TTY 800-237-2515). Additional information
about proper nondiscriminatory Employment Eligibility Verification (Form I-9) and E-Verify procedures is available on the IER website at https://www.justice.gov/ier and the USCIS website at http://www.dhs.gov/E-verify.

**Note Regarding Federal, State, and Local Government Agencies (Such as Departments of Motor Vehicles)**

While Federal Government agencies must follow the guidelines laid out by the Federal Government, state and local government agencies establish their own rules and guidelines when granting certain benefits. Each state may have different laws, requirements, and determinations about what documents you need to provide to prove eligibility for certain benefits. Whether you are applying for a Federal, state, or local government benefit, you may need to provide the government agency with documents that show you are a TPS beneficiary and/or show you are authorized to work based on TPS. Examples of such documents are:

1. Your EAD that has been automatically extended, or your EAD that has not expired;
2. A copy of this Federal Register Notice if your EAD is automatically extended under this Notice;
3. A copy of your receipt notice (Form I-797C) for your application to renew your current EAD where such notice provides an automatic extension of your current expired or expiring EAD;
4. A copy of your Application for Temporary Protected Status Notice of Action (Form I-797) for this re-registration;
5. A copy of your past or current Application for Temporary Protected Status Notice of Action (Form I-797), if you received one from USCIS; or
6. If there is an automatic extension of work authorization, a copy of information from the USCIS TPS website that provides information on the automatic extension.
Check with the government agency regarding which document(s) the agency will accept.

Some benefit-granting agencies use the USCIS Systematic Alien Verification for Entitlements (SAVE) program to confirm the current immigration status of applicants for public benefits. In most cases, SAVE provides an automated electronic response to benefit-granting agencies within seconds, but, occasionally, verification can be delayed. You can check the status of your SAVE verification by using CaseCheck at the following link: https://save.uscis.gov/casecheck/, then by clicking the “Check Your Case” button. CaseCheck is a free service that lets you follow the progress of your SAVE verification using your date of birth and one immigration identifier number. If an agency has denied your application based solely or in part on a SAVE response, the agency must offer you the opportunity to appeal the decision in accordance with the agency’s procedures. If the agency has received and acted upon or will act upon a SAVE verification and you do not believe the response is correct, you may make an InfoPass appointment for an in-person interview at a local USCIS office. Detailed information on how to make corrections, make an appointment, or submit a written request to correct records under the Freedom of Information Act can be found on the SAVE website at http://www.uscis.gov/save, then by choosing “For Benefits Applicants” from the menu on the left, selecting “Save Resources,” followed by “SAVE Fact Sheet for Benefit Applicants.”
TPS Haiti ELIS Timeline (Preferable)

**MAY:**
22 (Monday): OIDP completes system changes/updates to ensure TPS Haiti is processed in ELIS at the CSC.

22 (Monday): CSC completes selection of TPS personnel and final submission of all requests to SCOPS for proper ELIS access.

23 (Tuesday): Federal Register Notice is published. TPS Haiti applications would begin processing.

**June:**
1 (Thursday) to 2 (Friday): OIT completes all TPS Haiti requested enhancements/fixes.

5 (Monday) to 8 (Thursday): **HCT Training of CSC TPS Haiti Team onsite.**

6 (Tuesday) to 7 (Wednesday): Conduct demos and testing of full system functionality using limited number of SMEs at CSC to ensure enhancements are working as requested and expected.

9 (Friday): Local CSC IT Final Testing of every ISO terminal system. (8:00am-4pm)

13 (Tuesday) to 15 (Thursday): Slow rollout. CSC pulls 100 cases into ELIS to process.
--Limited to CSC TPS Supervisors and ELIS SMEs.
--OIT/Developers and SCOPS monitor to ensure all required logic, checks and functions are performing correctly. Bugs are immediately fixed. Issues in SP are immediately addressed and remedied.
--Lockbox front logs & stacks incoming applications.
--Pause points to make sure ingestion occurs correctly
--Allow the case to move to background checks, and then ASC appointment. After these steps, the cases are paused for the next 15-25 days waiting until ELIS receives bio’s after the ASC appointment.

19 (Monday) to 23 (Friday): CSC pulls and additional 500 cases into ELIS to process.

27 (Tuesday): Absent any catastrophic issues, begin full TPS Haiti production in ELIS with full CSC TPS Team (30 personnel). OIT and SCOPS ELIS Team go to CSC to monitor and do any spot fixes and adjustments.
TPS Haiti Processing Overview

- TPS beneficiaries must re-register during the 60-day re-registration period that begins on the date the Notice is published in the Federal Register. For instance, if a notice (FRN) providing extension of TPS benefits for Haiti is published in the Federal Register on 5/23/17, the 60 day re-registration filing window would begin on 5/23/17, and USCIS would begin accepting re-registration applications and applications for employment authorization from TPS Haiti beneficiaries immediately. (USCIS may accept late re-registration applications if the applicant has good cause for filing after the end of the re-registration period.)

- There are approximately 46,000 current Haiti TPS beneficiaries who would be expected to file for re-registration. Therefore, USCIS estimates we would receive 46,000 Form I-821s and 46,000 Form I-765s in connection with the extension of TPS for Haiti.

- In the FRN, DHS may issue a blanket automatic extension of the expiring EADs for TPS Haiti beneficiaries in order to allow time for USCIS to process I-765s EADs with new validity dates to be issued. Typically, the automatic extension is for a period of 6 months.

- USCIS notes that an automatic extension period of 6 months through 1/22/18 combined with the same 6 month extension of TPS benefits for Haiti may create a disincentive for TPS Haiti beneficiaries to apply for re-registration because they would receive a new EAD with only the same period of work authorization they already would have through the automatic extension of their prior EAD.

- To apply for TPS, an applicant must submit each of the following two applications:
  1. Application for Temporary Protected Status (Form I-821)
  2. Application for Employment Authorization (Form I-765)

  Applicants must submit both completed forms together, even if they are not requesting an EAD.

- The Forms are filed with the USCIS lockbox facility where they will be ingested into USCIS’s Electronic Immigration Processing System (ELIS). Once the Forms are successfully ingested into ELIS USCIS would receive the TPS Haiti applicant’s basic biographical information immediately (including their current address in the United States). *Based on the ELIS/Lockbox timeline, full ingestion into ELIS will begin 6/27/17. Prior to that, cases will be held at the Lockbox for gradual ingestion to monitor/assess performance and fix bugs.*

- Once the Forms are successfully ingested into ELIS they would be routed electronically to the California Service Center’s ELIS Workload Queue and the cases would begin a semi-automated process flow (Streamlined Process or “SP”). This allows some elements of the application review to be performed automatically in the electronic system.

- This is the first time TPS applications for Haiti would be processed in ELIS and with it being a new system and process there is always the possibility that unexpected technical issues could arise which could impact the timely processing of cases.

- TPS Haiti Applicants will be required to visit an Application Support Center (ASC) to have their biometrics captured. The appointment notices would be generated relatively soon after an individual’s TPS application is ingested into ELIS. The ASC appointment notice would schedule
the applicant for an ASC appointment, generally within 15 to 25 days of ingestion to ELJIS.

- Even though TPS Haiti beneficiaries would be able to file for re-registration as soon as an FRN providing extension is published there are certain aspects of the case review that inherently require time.

- In general, for re-registration TPS applications, and the associated Form I-765, the processing goal is 90 days.

- Given the lag time between the filing date and the final approval date/issuance of the EAD, it is important to note that if TPS for Haiti is extended for 6 months, USCIS would likely issue EADs with only a few months of remaining validity period or in some cases not be able to produce EADs prior to end of the 6 month TPS designation period on 1/22/2018. Consider the following hypothetical timeline:

  o FRN is published 5/23/17 providing a 6 month extension of TPS benefits for Haiti through 1/22/18. The 60 day re-registration period therefore begins on 5/23/17 and goes through 7/22/17;
  o Applicant “A” files for TPS Haiti re-registration on 6/5/17, due to natural lag time and time needed for preparation of his/her application materials. The applicant is scheduled for a biometrics appointment on 7/14/17 and there are no criminal results from his/her fingerprint check.
  o There are no other processing issues or flags that require USCIS to issue a request for evidence notice or perform additional resolution work.
  o Going with the standard 90 day processing time goal, this individual’s case gets approved on 9/3/17.
  o Due to standard card production time the individual’s EAD card is produced a week later on 9/10/17 with validity through 1/22/18. Therefore this individual would receive an EAD with 4 months and 12 days remaining validity
  o One can see how this could vary depending on how soon the TPS Haiti re-registration application is filed during the re-registration period and any adjudicative issues that may be encountered for individual cases.
  o Assuming the same “clean” case was filed later in the registration period on 7/20/17. A 90 day processing timeline with a week delay in EAD issuance would result in an EAD being issued with approximately 3 months of remaining validity.