From: Krause, Scott

Sent: Tuesday, May 23, 2017 7:20:00 PM (UTC-05:00) Eastern Time (US &Canada)

To: Chiefs of Staff; Component Exec Secs

Cc: Front Office Review CC; ESEC Reports; ESEC-CA-Staff; ESEC-External Liaison; Blume, Allen; Crosby, Lisa; Stoddard, Kaitlin; Booth-Colson, Amanda

Subject: Stoplight Reports and Signed Documents 5-23-17

Hi Chiefs and Exec Secs,

Attached is the “S1 Open Congressionals Stoplight Report.”
Additionally, you will find the current summaries of open Congressional Authorization Reports and CFO’s listing of open Appropriations Reports. Further, assigned Authorizing Testimony Status is provided.

Questions regarding Authorization Reports should be directed to Steve Dove.

[b](6) Those regarding Appropriations Reports should be directed to Lisa.

[b](6)

There are several attached documents signed by S1 today and yesterday (below).
<table>
<thead>
<tr>
<th>Signatory</th>
<th>Date Signed</th>
<th>Tracking Numbers</th>
<th>From</th>
<th>Lead Component</th>
<th>Summary</th>
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White Board Daily Signed Actions Report
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<tr>
<th>S1</th>
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<th>1142551 / 17-2120</th>
<th>Joseph Maher</th>
<th>OGC</th>
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<td>David A. Hess</td>
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<td>5/23/2017</td>
<td>1143509 / 17-2950</td>
<td>John Barsa</td>
<td>OPE</td>
</tr>
</tbody>
</table>

Best,

Scott

Scott Krause

Executive Secretary

U.S. Department of Homeland Security

(b)(6)

“ESEC: Excellent Service Endless Commitment”
From: Krause, Scott

Sent: Thursday, May 18, 2017 5:00 PM

To: Chiefs of Staff <chiefsoffstaff@hq.dhs.gov>; Component Exec Secs <ComponentExecSecs@HQ.DHS.GOV>

Cc: Front Office Review CC <FrontOfficeReviewCC@HQ.DHS.GOV>; ESEC Reports <ESECReports@hq.dhs.gov>; ESEC-CA-Staff <ESEC-CA-Staff@HQ.DHS.GOV>; ESEC-External Liaison <ESEC-ExternalLiaison@hq.dhs.gov>; Blume, Allen; Crosby, Lisa; Stoddard, Kaitlin; Booth-Colson, Amanda

Subject: Stoplight Reports and Signed Documents 5-18-17

Hi Chiefs and Exec Secs,

Attached is the “S1 Open Congressionals Stoplight Report.” We’re making progress – 102 overdue responses instead of 117 overdue last Thursday. Thanks also to those who sent Judiciary Committee Senators’ responses in support of USCIS Director nominee Cissna; keep ‘em coming!

Additionally, you will find the current summaries of open Congressional Authorization Reports and CFO’s listing of open Appropriations Reports. Further, assigned Authorizing Testimony Status is provided.

Questions regarding Authorization Reports should be directed to Steve Dove

Questions regarding Appropriations Reports should be directed to Lisa
There were no letters signed by S1 or S2 today.

I am honored to serve with you, the real pros.

Best,

Scott

Scott Krause
Executive Secretary
U.S. Department of Homeland Security

“ESEC: Excellent Service Endless Commitment”
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). 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. Provided a Haiti TPS beneficiary timely re-registers and properly files an application for an EAD during the 60-day re-registration period, his or her employment authorization will be automatically extended for an additional period not to exceed 180 days from the date the current EAD expires, i.e., January 18, 2018. See 8 CFR 274a.13(d)(1). TPS beneficiaries are reminded that, prior to January 22, 2018, 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. But provided a Haiti TPS beneficiary timely re-registers and properly files an application for an EAD during the 60-day re-registration period, his or her employment authorization will be automatically extended for an additional period not to exceed 180 days from the date the current EAD expires, i.e., January 18, 2018. This notice explains how TPS beneficiaries and their employers may determine whether a beneficiary’s employment authorization has been automatically extended and the 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

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.\(^1\) 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 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. But until you timely re-register and properly file an EAD application, your current employment authorization will end on July 22, 2017. Accordingly, you must also properly file your EAD application during the 60-day re-registration period in order for your current employment authorization to be automatically extended for 180 days (i.e., January 18, 2018). You are strongly encouraged to file your EAD application as early as possible during the 60-day re-registration period to avoid lapses in your employment authorization.

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 1-Mailing Addresses**

<table>
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<tr>
<th>If...</th>
<th>Mail to...</th>
</tr>
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</tr>
<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></td>
<td>For FedEx, UPS, and DHL deliveries:</td>
</tr>
<tr>
<td></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>
<tr>
<td>You live in the State of New York</td>
<td>For U.S. Postal Service:</td>
</tr>
<tr>
<td></td>
<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></td>
<td>For FedEx, UPS, and DHL deliveries:</td>
</tr>
<tr>
<td></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>
<tr>
<td>You live in any other state</td>
<td>For U.S. Postal Service:</td>
</tr>
<tr>
<td></td>
<td>U.S. Citizenship and Immigration Services</td>
</tr>
<tr>
<td></td>
<td>P.O. Box 24047</td>
</tr>
<tr>
<td></td>
<td>Phoenix, AZ 85074</td>
</tr>
</tbody>
</table>
For FedEx, UPS, and DHL deliveries:

U.S. Citizenship and Immigration Services
Attn: Haiti TPS
1820 E. Skyharbor Circle S, Suite 100
Phoenix, AZ 85034

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

• Have been continuously physically present in the United States since June 23, 2011. See INA sections 244(b)(2)(A), (c)(1)(A)(i); 8 U.S.C. 1254a(b)(2)(A), (c)(1)(A)(i).

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 extension of my current EAD through January 18, 2018?

Provided that you currently have a Haiti TPS-based EAD, you may be eligible to have your employment authorization automatically extended to January 18, 2018 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;
- 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”;
- Timely re-registered for TPS during the 60-day re-registration period; and
- Properly filed an application for an EAD during the 60-day re-registration period.

Although you may be eligible to automatically extend your employment authorization through January 18, 2018, you must timely re-register for TPS in accordance with the procedures described in this Notice if you would like to maintain your TPS. You are strongly encouraged to file your EAD renewal application as early as possible during the 60-day re-registration period to avoid lapses in your employment authorization.

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,” and you timely filed an EAD renewal application during the 60-day re-registration period, you may choose to present your EAD to your employer together with the Form I-797C Notice of Action (showing the qualifying eligibility category of either A12 or C19) as proof of identity and employment authorization for Form I-9 through January 18, 2018 (see the subsection titled “How do my employer and I complete the Employment Eligibility Verification (Form I-9) on the basis of automatically extended employment authorization 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 your employment authorization has been automatically extended through January 18, 2018. As an alternative to presenting evidence of your automatically extended employment authorization, 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
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 you may be eligible to have your employment authorization automatically extended, 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 will need a new document to re-verify your employment authorization. Once presented, 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 employment authorization 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.

If you 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 show that receipt notice to your employer along with your EAD to confirm automatic extension of employment authorization through January 18, 2018, unless your TPS has been finally withdrawn or your request for TPS has been finally denied. To avoid delays in receiving the Form I-797C and a lapse in your employment authorization, you should file your EAD renewal application as early as possible during the re-registration period.

By January 18, 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 the expired EAD with category A12 or C19 is presented with the Form I-797C Notice of Action as described herein, an employer should accept this document combination as a valid List A document so long as the EAD reasonably appears 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) on the basis of automatically extended employment authorization for a new job?

To evidence the automatic extension of your employment authorization, you may present
your expired EAD with category A12 or C19 in combination with the Form I-797C Notice of Action showing that the EAD renewal application was timely filed and that the qualifying eligibility category is either A12 or C19. This document combination is considered an unexpired Employment Authorization Document (Form I-766) under List A. When completing Form I-9 for a new job before January 18, 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 date that is 180 days from the date your current EAD expires (January 18, 2018) as the “employment authorized until mm/dd/yyyy” date; 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. When completing Section 2, employers should:
   a. Determine if the EAD is auto-extended for 180 days by ensuring:
      • it is in category A12 or C19;
      • the “received date” on Form I-797 is on or before the end of the 60-day re-registration period stated in this Notice; and
      • the category code on the EAD is the same category code on Form I-797C, noting that employers should consider category codes A12 and C19 to be the same category code;
   b. Write in the document title;
   c. Enter the issuing authority;
   d. Provide the document number; and
   e. Insert the date that is 180 days from the date the current EAD expires (January 18, 2018).
By January 18, 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 employment authorization 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 and your employment authorization has now been automatically extended when you timely filed a new application for employment authorization during the 60-day re-registration period, you may present your expired EAD with category A12 or C19 in combination with the Form I-797C Notice of Action. The Form I-797C should show that the EAD renewal application was timely filed and that the qualifying eligibility category is either A12 or C19. Your employer may need to re-inspect your current EAD if your employer does not have a copy of the EAD on file. 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 the date that is 180 days from the date your current EAD expires (January 18, 2018) above the previous date (July 22, 2017); and
   c. Initial and date the correction in the margin of Section 1.

2. For Section 2, employers should:
   a. Determine if the EAD is auto-extended for 180 days by ensuring:
      • it is in category A12 or C19;
      • the “received date” on Form I-797 is on or before the end of the 60-day re-registration period stated in this Notice; and
• the category code on the EAD is the same category code on Form I-797C, noting that
employers should consider category codes A12 and C19 to be the same category code;
b. Draw a line through the expiration date written in Section 2;
c. Write the date that is 180 days from the date the employee’s current EAD expires (January
18, 2018) above the previous date (July 22, 2017); and
d. Initial and date the correction in the margin of Section 2.

Note: This is not considered a reverification; do not complete Section 3 until either the
180-day extension has ended or the employee presents a new document to show continued
employment authorization, whichever is sooner. By January 18, 2018, when the employee’s
automatically extended employment authorization ends, 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. After completing the Form I-9 in accordance with the
instructions above, the employer may create a case in E-Verify for a new employee using the
information provided on Form I-9 and Form I-797C. The receipt number entered as the
document number on Form I-9 should be entered into the document number field in E-Verify.
By January 18, 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 current EAD;

(2) A copy of this Federal Register Notice;

(3) A copy of your receipt notice (Form I-797C) for your application to renew your current EAD providing 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; and

(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.

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.”
SECRETARY’S BRIEFING BOOK

Wednesday, March 22, 2017

1. Daily Intel & Ops Briefing
2. USSS Briefing
3. Meeting with President Juan Orlando Hernandez Alvarado, Honduras
4. Counter ISIL Ministerial Working Luncheon
5. FEMA/National Response Framework Briefing
6. ICE Leadership Meeting and Employee Engagement
7. 
8. 
Hi Gillian,

Feel free to reach out with any questions or concerns.

Many thanks,
Eric

---

From: Christensen, Gillian
Sent: Tuesday, April 11, 2017 10:49 AM
To: Johnson, Eric
Cc: Petyo, Briana
Subject: RE: DOS-DHS coordination - DHS decision on TPS for Haitian citizens - DHS Media Note, DOS press guidance, French+Creole, media hub amplification

Got it. Thanks Eric!
**Subject:** RE: DOS-DHS coordination - DHS decision on TPS for Haitian citizens - DHS Media Note, DOS press guidance, French+Creole, media hub amplification

Gillian,

Many thanks,
Eric

---

**From:** Christensen, Gillian  
**Sent:** Tuesday, April 11, 2017 10:19 AM  
**To:** King, Matthew; Johnson; Petyo, Briana; Cissna, Francis; Pogash, John; Simmons, Timothy; OIA-LATAM-C  
**Cc:**  
**Subject:** RE: DOS-DHS coordination - DHS decision on TPS for Haitian citizens - DHS Media Note, DOS press guidance, French+Creole, media hub amplification

Great - thanks so much!

---

**From:** King, Matthew  
**Sent:** Tuesday, April 11, 2017 10:16:41 AM  
**To:** Johnson, Eric; Petyo, Briana  
**Cc:** Cissna, Francis; Pogash, John; Simmons, Timothy; OIA-LATAM-C; Christensen, Gillian  
**Subject:** RE: DOS-DHS coordination - DHS decision on TPS for Haitian citizens - DHS Media Note, DOS press guidance, French+Creole, media hub amplification

+Gillian!

Matthew H. King  
Deputy Assistant Secretary  
Office of International Engagement  
U.S. Department of Homeland Security
From: Blackwell, Juliana

To: Barza, John; OPE, Tasking

Cc: Peto, Briana; Policy Exec Sec; OGC Exec Sec; Racio, William H.; Button, Maria G. (Gemma)

Subject: S1BB - 05.11.17 - Meeting with Rick Scott, Governor, Florida (Due: 05.10.17, 1300)

Date: 2017/05/10 08:13:24

Priority: Normal

Type: Note

All materials must be formatted to comply with the attached templates

<table>
<thead>
<tr>
<th>Event Date</th>
<th>Thursday, April 11, 2017 (0900-0930)</th>
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<tr>
<td>Event Name</td>
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<td>OPE</td>
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<tr>
<td>Required Coordination</td>
<td>USCIS, OGC, PLCY</td>
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<tr>
<td>Product</td>
<td>Briefing Memo, Talking Points</td>
</tr>
<tr>
<td>Notes</td>
<td>Topic: Haiti TPS</td>
</tr>
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</table>

Attendees
Secretary

(b)(6)
Governor's Office Attendees
Rick Scott, Governor
Jackie Schutz, Communications Director
Elliot Stewart, Special Assistant
Christine Diaz, DC Director

Location: RRB

Meeting Classification: Please include bullet in background section of briefing memorandum if the meeting or any of the briefing materials are classified. (i.e., “This meeting [or any of the briefing materials] are classified”).

Please note that all materials being shown to the Secretary must be passed through Exec Sec first. Please do not bring anything to the meeting ES has not seen (classified or unclassified) without prior approval. If a presentation is to be made, Lead Component is responsible for providing an appropriate number of handouts at the meeting. (15 if the meeting takes place in Rm. 5110D; 25 if in Rm. 5107.)

Due: Today at 1300

DHS Briefing Book and Interagency Coordination Standards and Procedures (including links to templates) are located on the DHS intranet at:
http://dhsconnect.dhs.gov/ORG/COMP/ESEC/Pages/default.aspx
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<td>Walters, Jessica S</td>
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<tr>
<td>Young, Todd P</td>
<td></td>
</tr>
</tbody>
</table>

**Sent Date:** 2017/05/10 08:13:23  
**Delivered Date:** 2017/05/10 08:13:24
From: USCIS Exec Sec

Sent Via: Drake, Johnetta

To: "Jones, Quinn"
-USCIS Exec Sec
-Blackwell, Juliana
-Baras, John
-OPF Tasking
-Washington, Karinda

CC: "Petys, Briana"
-PLY Exec Sec
-OGC Exec Sec
-Bacon, William H
-Sutton, Maria C (Gemma)

Subject: RE: [Lead Change to USCIS] S1BB - 05.11.17 - Meeting with Rick Scott, Governor, Florida (Due: 05.10.17, 1300)

Date: 2017/05/10 16:05:29

Importance: High

Priority: Urgent

Type: Note

Good afternoon,

USCIS Acting Director clears the attached materials. Please note, materials were not submitted for component coordination due to the short suspense.

Johnetta Drake
USCIS Office of the Executive Secretariat

Please upload all actions for which Forms G-1056 are used to CATS.
Please send all official actions to

From: Jones, Quinn
Sent: Wednesday, May 10, 2017 3:51 PM
To: USCIS Exec Sec; Blackwell, Juliana; Barsa, John; OPE_Tasking; Washington, Karinda
Cc: ESEC-BBIC; Petyo, Briana; Plcy Exec Sec; OGC Exec Sec; Bacon, William H; Button, Maria G (Gemma); Carter, Constance L; Drake, Johnetta; Prater, Jocelyn S; Swanson, Toni; Walters, Jessica S; Young, Todd P
Subject: RE: [Lead Change to USCIS] S1BB - 05.11.17 - Meeting with Rick Scott, Governor, Florida (Due: 05.10.17, 1300)

Any updates?

From: Barnes, Aisha Z On Behalf Of USCIS Exec Sec
Sent: Wednesday, May 10, 2017 1:41 PM
To: Jones, Quinn ; Blackwell, Juliana ; Barsa, John OPE_Tasking ; Washington, Karinda
Cc: ESEC-BBIC ; Petyo, Briana ; Plcy Exec Sec ; OGC Exec Sec ; Bacon, William H ; Button, Maria G (Gemma) ; Carter, Constance L ; Drake, Johnetta ; Prater, Jocelyn S ; Swanson, Toni ; Walters, Jessica S ; Young, Todd P
Subject: RE: [Lead Change to USCIS] S1BB - 05.11.17 - Meeting with Rick Scott, Governor, Florida (Due: 05.10.17, 1300)

Hi Quinn,

We are awaiting clearance from our general counsel. We will forward the materials as soon as final clearance is received. We apologize for the delay.

Respectfully,

Aisha Barnes
Management and Program Analyst
Office of the Executive Secretariat
U.S. Citizenship and Immigration Services

From: Jones, Quinn
Sent: Wednesday, May 10, 2017 1:35 PM
To: Blackwell, Juliana; Barsa, John; OPE_Tasking; Washington, Karinda
Cc: ESEC-BBIC; Petyo, Briana; Plcy Exec Sec; OGC Exec Sec; Bacon, William H; Button, Maria G (Gemma); Carter, Constance L; Drake, Johnetta; Prater, Jocelyn S; Swanson, Toni; USCIS Exec Sec; Walters, Jessica S; Young, Todd P
Subject: RE: [Lead Change to USCIS] S1BB - 05.11.17 - Meeting with Rick Scott, Governor, Florida (Due: 05.10.17, 1300)
Checking in, what is the status of these materials?

From: Blackwell, Juliana
Sent: Wednesday, May 10, 2017 8:15 AM
To: Barsa, John <b>(6)>; OPE_Tasking <b>(6)>; Washington, Karinda <b>(6)
Cc: ESEC-BBIC <b>(6)>; Peto, Briana <b>(6)>; Plcy Exec Sec <PloyExecSec@hq.dhs.gov>; OGC Exec Sec <b>(6)>; Bacon, William H <b>(6)>; Button, Maria G (Gemma) <b>(6)>; Drake, Johnetta <b>(6)>; Swanson, Toni <b>(6)>; Walters, Jessica S <b>(6)>; Young, Todd P <b>(6)

Subject: [Lead Change to USCIS] S1BB - 05.11.17 - Meeting with Rick Scott, Governor, Florida (Due: 05.10.17, 1300)

Lead change to USCIS.

From: Blackwell, Juliana
Sent: Wednesday, May 10, 2017 8:13 AM
To: Barsa, John <b>(6)>; OPE_Tasking <b>(6)>; Washington, Karinda <b>(6)
Cc: ESEC-BBIC <b>(6)>; Peto, Briana <b>(6)>; Plcy Exec Sec <b>(6)>; OGC Exec Sec <b>(6)>; Bacon, William H <b>(6)>; Button, Maria G (Gemma) <b>(6)>; Drake, Johnetta <b>(6)>; Swanson, Toni <b>(6)>; Walters, Jessica S <b>(6)>; Young, Todd P <b>(6)

Subject: S1BB - 05.11.17 - Meeting with Rick Scott, Governor, Florida (Due: 05.10.17, 1300)

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DHS-001-659-002017
Rick Scott, Governor
Jackie Schutz, Communications Director
Elliot Stewart, Special Assistant
Christine Diaz, DC Director

Location: RRB

Meeting Classification: Please include bullet in background section of briefing memorandum if the meeting or any of the briefing materials are classified. (i.e., "This meeting [or any of the briefing materials] are classified").

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Due: Today at 1300

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Sender:
USCIS Exec Sec <b>(6)
(b)(6)
(b)(6)

Recipient:
Jones, Quinn <b>(6)
(b)(6)
USCIS Exec Sec <b>(6)
(b)(6)
(b)(6)
Blackwell, Juliana <b>(6)
(b)(6)
(b)(6)
Barsa, John <b>(6)
(b)(6)
OPF Tasking <b>(6)
(b)(6)
Washington, Karinda <b>(6)
(b)(6)

Sent Date: 2017/05/10 16:05:28
Delivered Date: 2017/05/10 16:05:29
Objective:
- To listen to the Governor’s position on the potential termination or extension of Haiti’s Temporary Protected Status (TPS) designation. The Secretary will convey that he is evaluating all input on the issue and will be making a decision in the coming weeks.

Background:

Discussion Points:

(b)(5)
Participants:
Secretary Kelly
Kirstjen Nielsen, Chief of Staff
Gene Hamilton, Counselor to the Secretary
John Barsa, Office of Public Engagement
Alaina Clark, Office of Public Engagement
Governor Rick Scott of Florida
Jackie Schutz, Communications Director
Elliot Stewart, Special Assistant
Christine Diaz, DC Director

Attachments:
A. Talking Points or Remarks (talking points for external meetings; remarks for podium)

Staff Responsible for Briefing Memo:
Kathy Nuebel Kovarik, Chief, Office of Policy and Strategy, USCIS, [b](6)
Reviewed and approved by: Chief of Staff or higher, Title, Phone Number

OGC Reviewer: Attorney in Component Counsel or HQ, Title, Phone Number.

OGC coordination is essential. Please ensure that briefing materials have been fully coordinated with OGC. Lead components are now required to coordinate with their Component Counsel and identify in their OGC submission of briefing materials, who in their component counsel office reviewed and cleared.
<table>
<thead>
<tr>
<th>From:</th>
<th>Corbin, Susan</th>
<th>(b)(6)</th>
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<td></td>
<td>Ruggiero, Andrew</td>
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<td></td>
<td>Sheedfar, Megan</td>
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<tr>
<td></td>
<td>Swain, Donald</td>
<td>(b)(6)</td>
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<tr>
<td>CC:</td>
<td>Petyo, Briana</td>
<td>(b)(6)</td>
</tr>
<tr>
<td></td>
<td>Alfonso, Angelica M</td>
<td>(b)(6)</td>
</tr>
</tbody>
</table>

Subject: FW: [Haiti TPS] Report on Economic Losses Stemming from Terminating Designation

Date: 2017/04/19 19:05:06

Priority: Normal

Type: Note

Susan Corbin  
Chief of Staff  
Office of Legislative Affairs  
Department of Homeland Security

From: Jose Magaña-Salgado [mailto](b)(6)  
Sent: Wednesday, April 19, 2017 4:21 PM  
To: Corbin, Susan; Ellis, Rachel H; Anderson, Kathryn E; Prelgar, Brandon B

Subject: [Haiti TPS] Report on Economic Losses Stemming from Terminating Designation

Dear Secretary Kelly and DHS/USCIS colleagues:

In light of DHS's current review of whether to extend Temporary Protected Status (TPS) for Haiti, attached please find Economic Contributions by Salvadoran, Honduran, and Haitian TPS Holders, a report that calculates the economic losses (including GDP, taxpayer costs, Social Security and Medicare, and turnover costs) associated with the end of TPS for Haiti, El Salvador, and Honduras. We will be releasing this report publicly tomorrow, Thursday at 10AM EST and the report is also available at [https://www.ihre.org/report-tps-economic-cost](https://www.ihre.org/report-tps-economic-cost).
According to the report, for Haiti specifically, terminating TPS would lead to:
- $22.8 billion in GDP reduction over a decade;
- $428 million in lost Social Security and Medicare contributions over a decade;
- $60 million in turnover costs for businesses; and
- $468 million additional costs to taxpayers in terms of enforcement.

The economic losses for ending TPS for all three countries are as follows:
- Deporting all Salvadoran, Honduran, and Haitian TPS holders would cost the taxpayers $3.1 billion.
- Ending TPS for these three countries would result in a $6.9 billion reduction to Social Security and Medicare contributions over a decade.
- Ending TPS for these three countries would lead to a $45 billion reduction in GDP over a decade.
- The wholesale lay-off of the entire employed TPS population from El Salvador, Honduras, and Haiti would result in $967 million of turnover costs, e.g. costs employers incur when an employee leaves a position.
- The loss in GDP and turnover costs would be felt most acutely in the locations where these populations are primarily located, including major metropolitan areas in Florida, New York, California, Texas, Maryland, and Virginia.

Thank you and please don’t hesitate to reach out with any questions on this issue.

---

Jose Magaña-Salgado  
Managing Policy Attorney  
Immigrant Legal Resource Center  

[Redacted]

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<p>| | |</p>
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<td><strong>Delivered Date:</strong></td>
<td>2017/04/19 19:05:06</td>
</tr>
</tbody>
</table>
Trip to New Orleans, Louisiana
May 23-24, 2017

1. Itinerary and Background Information

2. TSA Engagement and Airport Visit

3. USCG Sector New Orleans Visit

4. ICE/ERO Engagement and Focus Group

5. Remarks: CBP/OFO Leadership and Strategic Planning Meeting
HAITI TPS

Talking Points

- Secretary Kelly hasn't made a decision on TPS for Haiti.
- The Secretary’s decision will be based on a thorough assessment of the conditions in the country; separately, he has asked the staff for detailed information to increase his understanding of how the program operates.
- The two actions are separate and distinct.

IF ASKED: Is criminal history and public benefit usage being used for criteria for the TPS determination?
<table>
<thead>
<tr>
<th></th>
<th>Itinerary</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Remarks: Intrepid Salute to Freedom Gala</td>
</tr>
<tr>
<td>3</td>
<td>Fox &amp; Friends Engagement</td>
</tr>
<tr>
<td>4</td>
<td>CBS “This Morning” Engagement</td>
</tr>
<tr>
<td>5</td>
<td>Visit to USCGC Hamilton</td>
</tr>
<tr>
<td>6</td>
<td>Hamilton Press Engagement</td>
</tr>
<tr>
<td>7</td>
<td>DHS Employee Engagement</td>
</tr>
<tr>
<td>8</td>
<td>NYPD Visit</td>
</tr>
</tbody>
</table>
Trip to Chicago, IL and New London, CT

Tuesday, May 16, 2017 and Wednesday, May 17, 2017

1. Itinerary

2. Moderated Conversation at the Chicago Project Conference

3. DHS Employee Engagement

4. Remarks: USCGA Commencement

5. 
1. S&T Leadership Meeting and Employee Engagement

2. Phone Call FROM Congressman Diaz Balart

3. CVE Grants Meeting

4. TPS Briefing

5.
TEMPORARY PROTECTED STATUS BRIEFING
May 23, 2017

Objective:
- To obtain a general overview of the upcoming Temporary Protected Status (TPS) designations you will be reviewing and making determinations on over the next two years, as well as on the populations affected.

Background:
- TPS is a humanitarian immigration program, established by Congress, that allows the Secretary of Homeland Security to offer temporary protection to nationals of foreign countries afflicted by armed conflict, environmental disaster, or other extraordinary and temporary conditions.
- The Secretary has discretionary authority to designate a country (or part of a country) for TPS if the statutory requirements for designation have been met. This is determined through a review of conditions in the country by the Department of Homeland Security, in consultation with other federal agencies, including the Department of State.
- Countries can be initially designated for TPS for a period of 6 to 18 months. Prior to the expiration of a country’s TPS designation, the Secretary must review the conditions in the country to determine whether it still meets the requirements for a designation.
- Based on that review, the Secretary will extend, redesignate, or terminate the country’s TPS designation. If the Secretary determines that the conditions for designation no longer continue to be met, he shall terminate the designation. If the Secretary finds, however, that the conditions for designation continue to be met (or makes no determination at all), the TPS designation must be extended a minimum of six months, but may be extended, in the Secretary’s discretion, for 12 or 18 months.
- When a country is designated for TPS, nationals of that country who are residing in the United States may apply for TPS with U.S. Citizenship and Immigration Services. In order to be eligible for TPS, applicants must meet required continuous residence and physical presence dates, which generally prevent individuals who first arrive in the United States after a country’s designation for TPS from receiving the status.
- Thorough security and background checks are performed on all TPS applicants.
- TPS beneficiaries are authorized to remain in the United States and receive work authorization for the duration of their status.
- TPS does not provide an independent pathway for individuals to receive lawful permanent residence in the United States. TPS also does not provide a mechanism for family members to derive status or be brought to the United States.
- Currently, thirteen countries are designated for TPS: El Salvador, Guinea, Haiti, Honduras, Liberia, Nepal, Nicaragua, Sierra Leone, Somalia, South Sudan, Sudan, Syria, and Yemen.
- Approximately 440,000 individuals are receiving protection through the TPS program.

Review Schedule:
- The following chart provides the timeline for decision making on all of the current TPS designations, as well as the current number of beneficiaries under each designation who will be affected by the Secretary’s decision.1

---

1 Note: The chart does not contain a review timeline for Guinea, Liberia, or Sierra Leone, whose designations are terminating on May 21, 2017, and, thus, do not require Secretarial action.
<table>
<thead>
<tr>
<th>Country</th>
<th>Number of Beneficiaries</th>
<th>Target S1 Decision Date</th>
<th>Target Federal Register Notice Publication Date</th>
<th>Current Expiration Date</th>
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<tbody>
<tr>
<td>Haiti</td>
<td>58,706</td>
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<td>05/23/2017</td>
<td>07/22/2017</td>
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<tr>
<td>South Sudan</td>
<td>49</td>
<td>08/03/2017</td>
<td>09/01/2017</td>
<td>11/02/2017</td>
</tr>
<tr>
<td>Sudan</td>
<td>1,039</td>
<td>08/03/2017</td>
<td>09/01/2017</td>
<td>11/02/2017</td>
</tr>
<tr>
<td>Honduras</td>
<td>86,163</td>
<td>10/02/2017</td>
<td>11/03/2017</td>
<td>01/05/2018</td>
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<tr>
<td>Nicaragua</td>
<td>5,349</td>
<td>10/02/2017</td>
<td>11/03/2017</td>
<td>01/05/2018</td>
</tr>
<tr>
<td>El Salvador</td>
<td>263,282</td>
<td>12/06/2017</td>
<td>01/08/2018</td>
<td>03/09/2018</td>
</tr>
<tr>
<td>Syria</td>
<td>6,177</td>
<td>12/29/2017</td>
<td>01/30/2018</td>
<td>03/31/2018</td>
</tr>
<tr>
<td>Nepal</td>
<td>12,967</td>
<td>03/26/2018</td>
<td>04/25/2018</td>
<td>06/24/2018</td>
</tr>
<tr>
<td>Yemen</td>
<td>819</td>
<td>06/05/2018</td>
<td>07/05/2018</td>
<td>09/03/2018</td>
</tr>
<tr>
<td>Somalia</td>
<td>497</td>
<td>06/19/2018</td>
<td>07/19/2018</td>
<td>09/17/2018</td>
</tr>
</tbody>
</table>

Participants:
Secretary Kelly
Kirstjen Nielsen, Chief of Staff
Elizabeth Neumann, Deputy Chief of Staff
Jeff Rezmovic, Acting Deputy Chief of Staff
Gene Hamilton, Senior Counselor, SEC
Joe Maher, Acting General Counsel, OGC
Jonathan Hoffman, Assistant Secretary, OPA
Ben Cassidy, Assistant Secretary, OLA
Michael Dougherty, Acting Assistant Secretary, PLCY
James McCament, Acting Director, U.S. Citizenship and Immigration Services

Attachment:
A. Background on Current TPS Designations

Staff Responsible for Briefing Memo: Brandon Prelogar and Kathryn Anderson, Chief/Deputy Chief, International and Humanitarian Affairs Division, Office of Policy and Strategy

Reviewed and approved by: USCIS Acting Director McCament,
BACKGROUND/COUNTRY SPECIFICS ON CURRENT TPS DESIGNATIONS:

El Salvador: El Salvador was designated for TPS in 2001 following a series of earthquakes. Its designation has been continuously extended since 2001 due to the lingering effects of the earthquakes and subsequent compounding environmental disasters. There are over 260,000 beneficiaries under El Salvador’s designation.

Guinea/Liberia/Sierra Leone: Guinea, Liberia, and Sierra Leone were designated for TPS in November 2014 due to the extraordinary and temporary conditions resulting from the Ebola epidemic in West Africa. These designations are terminating on May 21, 2017. There are approximately 1,000 beneficiaries under Guinea’s designation, 2,300 under Liberia’s, and 1,250 under Sierra Leone’s.

Haiti: Haiti was initially designated for TPS in 2010 following a severe earthquake. Its designation has been continuously extended since due to the persisting effects of the earthquake. Haiti was also redesignated for TPS in 2011, expanding eligibility to additional Haitian nationals. There are approximately 59,000 beneficiaries under Haiti’s designation.

Honduras/Nicaragua: Honduras and Nicaragua were designated for TPS in 1999 following Hurricane Mitch. Their designations have been continuously extended since 1999 due to the lingering effects of Hurricane Mitch and subsequent compounding environmental disasters. There are approximately 86,000 beneficiaries under Honduras’s designation and 5,350 under Nicaragua’s.

Nepal: Nepal was designated for TPS in June 2015 following a severe earthquake in April 2015. Its designation has been extended through June 24, 2018. There are approximately 13,000 beneficiaries under Nepal’s designation.

Somalia: Somalia was initially designated for TPS in 1991 due to extraordinary and temporary conditions. Its designation has been continuously extended since. Somalia has also been redesignated for TPS twice, in 2001 and 2012, due to ongoing armed conflict and extraordinary and temporary conditions, expanding eligibility to additional Somali nationals. There are approximately 500 beneficiaries under Somalia’s designation.

South Sudan/Sudan: Sudan was designated for TPS in 1997 due to ongoing armed conflict and extraordinary and temporary conditions. Its designation has been continuously extended since. Sudan was also redesignated for TPS in 1999, 2004, and 2013, expanding eligibility to additional Sudanese nationals. When South Sudan became an independent country in 2011, it was designated for TPS due to ongoing armed conflict and extraordinary and temporary conditions, and its designation has been continuously extended since. South Sudan was also redesignated for TPS in 2013, 2014, and 2016. There are over 1,000 beneficiaries under Sudan’s designation and approximately 50 under South Sudan’s.
Syria: Syria was designated for TPS in 2012 due to extraordinary and temporary conditions. Its designation has been continuously extended since. Syria was also redesignated in 2013, 2015, and 2016, adding ongoing armed conflict as a basis for the designation and expanding eligibility to additional Syrian nationals. There are approximately 6,200 beneficiaries under Syria’s designation.

Yemen: Yemen was designated for TPS in September 2015 due to an ongoing armed conflict in the country. Its designation has been extended through September 3, 2018. There are over 800 beneficiaries under Yemen’s designation.
<table>
<thead>
<tr>
<th></th>
<th>Event Description</th>
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<tbody>
<tr>
<td>1</td>
<td>Daily Intel &amp; Ops Briefing</td>
</tr>
<tr>
<td>2</td>
<td>USSS Briefing</td>
</tr>
<tr>
<td>3</td>
<td>Meeting with President Juan Orlando Hernandez Alvarado, Honduras</td>
</tr>
<tr>
<td>4</td>
<td>Counter ISIL Ministerial Working Luncheon</td>
</tr>
<tr>
<td>5</td>
<td>FEMA/National Response Framework Briefing</td>
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<tr>
<td>6</td>
<td>ICE Leadership Meeting and Employee Engagement</td>
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<tr>
<td>7</td>
<td></td>
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<tr>
<td>8</td>
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</tr>
</tbody>
</table>
DMAG Discussion

CVE Grants Meeting

TPS Briefing

FEMA Grants Meeting

Screening/Vetting Update
These materials will be provided separately
TEMPORARY PROTECTED STATUS MEETING
April 10, 2017

Objective:
- The purpose of this meeting is to review the current Temporary Protected Status (TPS) designations, extensions, and possible terminations.

Background:
- Under section 244(b)(1) of the Immigration and Nationality Act (INA), the Secretary of Homeland Security, after consultation with appropriate U.S. Government agencies, may designate a foreign country (or any part of such foreign country) for TPS if the conditions in the foreign country fall into one or more of three statutory categories, generally described as: (1) ongoing armed conflict; (2) environmental disasters; or, (3) extraordinary and temporary conditions.
  - If the Secretary determines that country conditions support a TPS designation, he or she may provide for an initial designation, or re-designation of 6 to 18 months, or an extension of 6, 12 or 18 months.
  - When the Secretary designates, re-designates, or extends TPS for a country, he or she establishes the dates from which a TPS applicant must have continuously resided and been continuously physically present in the United States in order to be eligible for TPS under the particular country designation.
- During the TPS designation period, registered TPS beneficiaries are eligible to remain in the United States, cannot be removed, and are authorized to work, so long as they continue to meet the terms and conditions of their TPS designation. They may also be granted authorization to travel abroad, under certain circumstances and only at the Secretary’s discretion, for brief periods.
- When the Secretary terminates a country’s TPS designation, beneficiaries return to the same immigration status they possessed before TPS (unless that status has since expired or been terminated), or to any other status they may have obtained while registered for TPS.
- TPS generally does not lead to Lawful Permanent Resident (LPR) status, though there are exceptions to this general rule.

Discussion Points:
- Currently, there are 13 countries designated for TPS (See Tab A).
  - Of these 13 countries, three (Guinea, Liberia, and Sierra Leone) will have their TPS designations terminate on May 21, 2017.
  - Of the remaining 10 countries, seven have TPS designations scheduled to expire within the next 12 months, with Haiti being the first, scheduled to expire on July 22, 2017.
- As of December 31, 2016, there were approximately 439,625 TPS beneficiaries (See Tab B).
  - Approximately 75 percent (330,150) had a pre-TPS immigration status that was unknown or unreported.
  - Approximately 60 percent (263,282) were nationals of El Salvador.

Participants:
Secretary Kelly
Elaine Duke
DHS-001-659-002038

FOR OFFICIAL USE ONLY

Kirstjen Nielsen, Chief of Staff
Elizabeth Neumann, Deputy Chief of Staff
Gene Hamilton, Counselor, SEC
Michael Dougherty, Acting Assistant Secretary for Border Immigration and Trade, PLCY
Francis Cissna, Advisor, PLCY
Jonathan Hoffman, Acting Assistant Secretary, OPA
Ben Cassidy, Advisor, OLA
James McCament, Deputy Associate Director, USCIS
Carl Risch, Acting Chief of Staff, USCIS

Attachments:
A. USCIS List of Countries Currently Designated for TPS (as of December 31, 2016)
B. USCIS List of Individuals Currently Designated for TPS (as of December 31, 2016)

Staff Responsible for Briefing Memo: Eric B. Johnson, Policy Analyst
Reviewed and approved by: Bradley Hayes, Acting Chief of Staff, PLCY
## Countries Currently Designated for TPS

Sourced from USCIS website on 4/7/17. TPS designations for Guinea, Liberia, and Sierra Leone will terminate on May 21, 2017.

<table>
<thead>
<tr>
<th>Designated Country</th>
<th>Most Recent Designation Date</th>
<th>Current Expiration Date</th>
<th>Current Re-Registration Period</th>
<th>Current Initial Registration Period</th>
<th>Employment Authorization Document (EAD) Automatically Extended Through</th>
</tr>
</thead>
<tbody>
<tr>
<td>El Salvador</td>
<td>March 9, 2001</td>
<td>March 9, 2018</td>
<td>July 8, 2016 - Sept. 6, 2016</td>
<td>N/A</td>
<td>Sept. 9, 2017</td>
</tr>
<tr>
<td>Guinea*</td>
<td>Nov. 21, 2014</td>
<td>May 21, 2017</td>
<td>N/A</td>
<td>N/A</td>
<td>May 20, 2017</td>
</tr>
<tr>
<td>Liberia*</td>
<td>Nov. 21, 2014</td>
<td>May 21, 2017</td>
<td>N/A</td>
<td>N/A</td>
<td>May 20, 2017</td>
</tr>
<tr>
<td>Designated Country</td>
<td>Most Recent Designation Date</td>
<td>Current Expiration Date</td>
<td>Current Re-Registration Period</td>
<td>Current Initial Registration Period</td>
<td>Employment Authorization Document (EAD) Automatically Extended Through</td>
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<td>-------------------------</td>
<td>-------------------------------</td>
<td>----------------------------------</td>
<td>-------------------------------------------------------------</td>
</tr>
<tr>
<td>Sierra Leone*</td>
<td>Nov. 21, 2014</td>
<td>May 21, 2017</td>
<td>N/A</td>
<td>N/A</td>
<td>May 20, 2017</td>
</tr>
</tbody>
</table>
Individuals Currently Designated for TPS

The following table reflects the number of TPS beneficiaries under each designated foreign state at the close of CY 2016.

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<thead>
<tr>
<th>Country</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>El Salvador</td>
<td>263,282</td>
</tr>
<tr>
<td>Guinea*</td>
<td>1,009</td>
</tr>
<tr>
<td>Haiti</td>
<td>58,706</td>
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<tr>
<td>Honduras</td>
<td>86,163</td>
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<td>Liberia*</td>
<td>2,313</td>
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<tr>
<td>Nepal</td>
<td>12,967</td>
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<tr>
<td>Nicaragua</td>
<td>5,349</td>
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<tr>
<td>Sierra Leone*</td>
<td>1,255</td>
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<tr>
<td>Somalia</td>
<td>497</td>
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<tr>
<td>South Sudan</td>
<td>49</td>
</tr>
<tr>
<td>Sudan</td>
<td>1,039</td>
</tr>
<tr>
<td>Syria</td>
<td>6,177</td>
</tr>
<tr>
<td>Yemen</td>
<td>819</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>439,625</strong></td>
</tr>
</tbody>
</table>

*TTPS designation terminates on May 21, 2017.
These materials will be provided separately
From: Nealon, James  
Sent: Monday, November 20, 2017 6:37:45 AM  
To: Petyo, Briana  
Subject: FW: CLINIC Follow-Up | Haitian TPS

More execsec for haiti.

From: Jill Marie Bussey [mailto]  
Sent: Friday, November 17, 2017 6:13 PM  
To: Nealon, James; Dougherty, Michael  
Cc: Jeanne Atkinson; Hayden, Matt  
Subject: CLINIC Follow-Up | Haitian TPS

Ambassador Nealon and Mr. Dougherty,

Thank you again for meeting to discuss Temporary Protected Status for Haiti earlier this week. I’m writing to follow up on our conversation and to provide the attached materials to Acting Secretary Duke as she completes her deliberations. We appreciate the time and careful consideration you and Acting Secretary Duke have put into this decision-making process, which affects tens of thousands of highly vulnerable people and their families.

One of the attachments is a letter from two brothers, Haitian TPS holders from Boston, who requested the opportunity to share their story with you and Acting Secretary Duke. In their letter, these young men detail the horrors of the 2010 earthquake, homelessness, and loss. They also talk about the lives they have worked so hard to rebuild in the U.S. and the fear of being returned to Haiti:

“We do still love the country where we were born, but we also love the new country that gave us welcome and a safe life. We are not sure what would happen to us if we had to go back. We don’t have money to buy a new home to replace the one that was eaten by the earthquake. Our mom cries a lot these past few months and now we know why, she has been afraid that we will have to leave our home in the U.S.”
Sincerely,

Jill

Jill Marie Bussey  
Director of Advocacy  
Catholic Legal Immigrant Network, Inc. (CLINIC)

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| Sender:       | Petyo, Briana | (b)(6) |  
|              | b(6)          |  
| Recipient:    | Petyo, Briana | (b)(6) |  
| Sent Date:    | 2017/11/20 06:45:51 |  
| Delivered Date: | 2017/11/20 06:45:53 |  

DHS-001-659-002044
Good afternoon Briana,

BIT/Americas (Jillian St. John) cleared the attached USCIS-drafted response to Sen. Gillibrand without comment, and BIT/IMM (Monique Grame) provided minor edits. Do you clear the edits for PLCY?

USCIS requests PLCY’s clearance by 10:30 a.m. tomorrow (12/13).

NOTE: Clearance of this letter also applies to:

- WF #1153922 (Rep. Nelson)
- WF #1153932 (Rep. Richmond)
- WF #1154785 (VIP Clifton Porter)
- WF #1154878 (Rev. Huse)

Best regards,

Grant Blanton
Social Science Analyst
Office of Strategy, Policy, and Plans | Executive Secretariat
U.S. Department of Homeland Security
From: Grame, Monique
Sent: Tuesday, December 12, 2017 2:13 PM
To: Pley Exec Sec <b>(b)(6)<b>
CC: Immigration Policy <b>(b)(6)<b>
Subject: RE: [Due 12/12 at 4 p.m.] [USCIS Comment/Clearance] WF #1152843 - Sen. Kristen Gillibrand (D-NY) writes to urge that TPS designation be extended for Haiti.

Good afternoon,

IMM PLCY has reviewed and clears with minor edits. Thank you,

Monique Grame
DHS Office of Policy

From: Pley Exec Sec
Sent: Monday, December 11, 2017 10:37 AM
To: Americas <b>(b)(6)<b>; OIA-LATAM-C <b>(b)(6)<b>
CC: Pley Exec Sec <b>(b)(6)<b>; PLCY-BIT Tasking <b>(b)(6)<b>; Immigration Policy <b>(b)(6)<b>
Petyo, Briana <b>(b)(6)<b>
Subject: [Due 12/12 at 4 p.m.] [USCIS Comment/Clearance] WF #1152843 - Sen. Kristen Gillibrand (D-NY) writes to urge that TPS designation be extended for Haiti.

Good morning BIT/Americas (LATAM-C),

Please review the attached USCIS-drafted response to Sen. Gillibrand and, working with BIT/IMM for equities, provide PLCY-consolidated comments/edits (in Track Changes) or clearance to PLCY Exec Sec <b>by 4 p.m. tomorrow (12/12)<b>.

Best regards,

Grant Blanton
Social Science Analyst
Office of Strategy, Policy, and Plans | Executive Secretariat
U.S. Department of Homeland Security
<table>
<thead>
<tr>
<th><strong>Sender:</strong></th>
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Withheld pursuant to exemption

(R)/(S)

of the Freedom of Information and Privacy Act
October 31, 2017

The Honorable Rex Tillerson
U.S. Secretary of State
U.S. Department of State
2201 C St NW
Washington, DC 20520

The Honorable Elaine Duke
Acting U.S. Secretary of Homeland Security
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20530

Dear Secretary Tillerson and Acting Secretary Duke:

We write to request that you consider extending the Temporary Protected Status (TPS) designation of approximately 58,000 Haitians who are temporarily living and working lawfully in the United States by November 23, 2017. We respectfully urge you to review Haiti’s TPS designation closely, taking into consideration the devastating conditions that still exist on the ground, and to extend TPS for Haitians for an additional 18 months, as dangerous conditions persist and pose a serious risk to the health and safety of Haitian TPS holders if they were to be returned to the country in its current condition. Terminating Haiti’s TPS designation would jeopardize regional stability and security, undermine our nation’s values of compassion and welcome, and impair Haiti’s fragile recovery efforts, placing tens of thousands of families in harm’s way.

Congress established TPS nearly thirty years ago in the Immigration Act of 1990 to afford the administration the opportunity to offer protection and shelter to foreign nationals unable to safely return to their home countries due to natural disaster, armed conflict, or other extraordinary conditions. Since then, TPS has served its critical humanitarian purpose that Congress intended – a promise to allow vulnerable individuals to remain in the United States while their countries recovered. TPS has also helped to facilitate recovery and stabilization efforts, as countries 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.

Eligible Haitians were first granted TPS status in the U.S. in 2010, following a 7.0 magnitude earthquake, affecting one-third of Haiti’s population, displacing 1.5 million people, and causing

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catastrophic damage to the country’s infrastructure. United Nations humanitarian efforts following the earthquake introduced cholera, killing thousands as people continue to be sickened by the disease every year. In Haiti, the cholera epidemic persists because of weak water and sanitation infrastructure, lack of access to quality medical care, and high population density in urban areas.

Subsequent natural disasters significantly impaired Haiti’s post-earthquake recovery. In October 2016, Hurricane Matthew made landfall in Haiti, the worst hurricane to hit Haiti in 52 years, costing Haiti $2.8 billion (32% of its GDP) and leaving 175,000 people without housing. Heavy rain in late April 2017 destroyed an estimated 80% of the spring harvest in southern Haiti and affected 350,000 people. The U.S. government reported that 30% of Haitians had limited access to food, 40% lack access to fundamental health care, and there remains limited water, food, and sanitation. By the end of August 2017, 2.35 million people faced severe acute food insecurity, nearly 38,000 internally displaced people live in camps, 200,000 earthquake victims remain in a camp that was renamed a “settlement” (Canaan), 2.1 million people remain affected by Hurricane Matthew, and 1.4 million are in need of humanitarian assistance. Additionally, flooding from Hurricanes Irma and Maria have had a detrimental impact and further complicate Haiti’s ability to recover. Haiti has a long road ahead to rebuild destroyed homes, schools, agricultural crops and livestock, while widespread hunger, political and economic instability persist.

TPS was created to provide protection to those in the United States when it is unsafe for their return home - precisely the conditions Haiti faces today. Although any TPS designation is indeed temporary, it is critical to understand the spectrum of a country’s length of recovery after conflict or disaster. TPS is reserved for situations in which countries have been truly devastated such that returning poses a grave danger to the public. The events of the past seven years in Haiti are unprecedented. The Haitian government has made progress – however the pace has been slow and interrupted due to subsequent natural disasters beyond the government's control. Given the series of catastrophic natural disasters, the Haiti government formally requested an 18-month extension of TPS. It is clear that the United States should extend TPS for Haitians for another 18 months and recommit to helping Haiti address its ongoing food insecurity, public health concerns, and economic instability.

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. TPS holders undergo security vetting and biometric checks, obtain employment authorization, and anyone with a serious criminal record or who is found to be a national security threat is ineligible for TPS. Haitians with TPS are employed in nursing homes and as home health aides, filling a critical gap in chronically understaffed healthcare fields. There would be a profound impact on the country as a whole if essential workers were removed from their jobs.

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3 See Immigration and Nationality Act § 244(b)(1) (8 U.S.C. § 1254a(b)(1))
Haitian TPS holders are also providing critical economic support to family members still in Haiti. Reports found that remittances to Haiti exceeded $2 billion - or 22.7 percent of Haiti’s GDP in 2015; $1.3 billion coming from the U.S. It is estimated that the remittances support at least 320,000 relatives in Haiti. Terminating TPS before Haiti has sufficiently recovered would have a profoundly destabilizing effect. It will be felt by Haiti, their neighbors, and inevitably at the U.S. borders. Giving Haiti more time to rebuild and recover from the extraordinary events of the past seven years will protect the lives of vulnerable people and mitigate strains on the U.S. economy and the immigration system.

We hope that you will consider all of these factors as you move forward in evaluating the extension of Haiti’s TPS expiration date, and we look forward to your response.

Sincerely,

Kirsten Gillibrand  
United States Senator

Charles E. Schumer  
United States Senator

Cory A. Booker  
United States Senator

Robert Menendez  
United States Senator
November 25, 2017

The Honorable Elaine C. Duke
Secretary of Homeland Security
Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528-0075

Dear Secretary Duke:


I have heard and read numerous condemnations from friends, colleagues, and many others in the faith community of your department’s decision to terminate the Protected Status for Haiti. Therefore I have submitted my open letter to our local newspaper, The Toledo Blade, to the national and district offices of my Church of the Brethren denomination, and to Church World Service, a religious organization known world-wide for its resettlement of refugees here in the United States and in other parts of the world.

In spite of the anti-immigrant bias of the current Administration and your responsibility to carry out its general policies, I sincerely hope and pray that your own moral and humanitarian values will move you to reconsider that decision and guide the Department of Homeland Security to a more ethically sound and humane approach to the problems facing Haitians and all other refugees, who have fled to our country as a safe haven from devastating natural disasters, the horrors of war, the deadly violence of drug gangs, the scourge of terrorist groups, etc.

For your Department to do otherwise is to make a mockery of the values we claim for our country and commend to the rest of the world!

Sincerely yours,

(Rev.) Horace Huse
Retired Pastor and Chaplain
Church of the Brethren

cc: Rev. Kris Hawk, District Executive, Northern Ohio District, Church of the Brethren
Rev. Lamar Gibson, Executive Secretary, On Earth Peace, Church of the Brethren
Jen Smyers, Director of Refugee and Immigration Program, Church World Service
The Toledo Blade
OPEN LETTER TO DEPARTMENT OF HOMELAND SECURITY

I am writing to voice my dismay and disgust over your decision to terminate the Temporary Protected Status for Haiti. This was instituted following the devastating 2010 earthquake, which decimated huge parts of that island nation and made millions of Haitians homeless. The United States in a spirit of compassion took in tens of thousands of those refugees until they could rebuild their communities and reestablish some sort of social and economic system to sustain them.

Now they face immediate deportation to a country that has suffered additional natural disasters, public health crises, and ongoing displacement and hunger, with no place to live. That includes 27,000 children who are U.S. citizens who face impossible choices: separation from their parents, moving to harsh and dangerous conditions in an unfamiliar country, or parents remaining here under the threat of deportation as illegal aliens.

WHERE IS YOUR COMPASSION? WHERE IS YOUR CONCERN FOR THE WELFARE OF THESE HUMAN BEINGS?

Are you giving in to the anti-immigrant sentiment that has swept our country, with all the hate and prejudice that accompanies it? Or is this a callous disregard for human life and values, or a crass move to save a little money?

Any way you cut it, it sells us short of our true spiritual strength as a people and makes America small. You should immediately restore to these refugees their rights as human beings, and review all your policies and procedures as they relate to moral values and human needs.

Rev. Horace Huse

(b)(6)
November 21, 2017

The Honorable Elaine C. Duke  
Acting Secretary  
Department of Homeland Security  
245 Murray Lane, SW  
Washington, DC 20528

Dear Acting Secretary Duke:

I serve as the Senior Vice President of Government Relations at the American Health Care Association (AHCA), the nation’s largest association of long term and post-acute care providers. The association advocates for quality care and services for the frail, elderly, and individuals with disabilities. Our members provide essential care to millions of individuals in more than 13,500 not for profit and for profit member facilities.

AHCA, its affiliates, and member providers advocate for the continuing vitality of the long-term care provider community. That is why, as the lead association for the nation’s long-term nursing care providers, we write to urge that Temporary Protected Status (TPS) be extended for the roughly 50,000 Haitians currently living and working in the United States under this protection. Conditions in Haiti remain dire and could be worsened by the abrupt return of so many people. The United States can also ill-afford to lose these individuals. Haitian TPS holders make up a critical part of the nation’s health care workforce, holding hard-to-fill jobs such as nursing care for the elderly and disabled. They have lived and worked in the United States for more than a decade and deserve a chance to continue their productive lives here, for their own protection and the good of the U.S. economy.

Congress created TPS in 1990 to provide protection for foreigners in the United States who cannot safely return home due to war, environmental disaster or other extreme circumstances. Certain Haitians living in the United States gained this protection in 2010 after a devastating earthquake in their home country. This protection has been extended repeatedly due to ongoing environmental and health calamities in Haiti.
The Honorable Elaine C. Duke  
November 14, 2017  
Page 2 of 3

Last spring, however, then-DHS Secretary John Kelly warned the Administration may be ready to terminate TPS status for Haitians as of January 2018 – a decision that must be announced later this month.

It is not safe for them to return to Haiti, nor is the country able to absorb them. Haiti is still crippled from the massive 2010 earthquake and its fragile recovery efforts have been battered by a cholera epidemic and damage from successive hurricanes. Hurricane Matthew caused unprecedented devastation in Haiti last fall and recent Hurricanes Maria and Irma inflicted still more damage. Thousands of Haitians continue to live in camps for displaced persons, and many others have been forced into unsafe housing.

By contrast, the 50,000 Haitians with TPS status are established and productive members of U.S. communities, particularly in Florida, Massachusetts, and New York where most live. These Haitians have lived in the United States an average of 13 years, and are parents to about 27,000 U.S.-born children. They are registered with DHS and undergo periodic background checks. Most are employed and contributing to the tax base and local economies.

Our members know this first hand because many Haitians who hold TPS status are employed in facilities that face chronic staffing shortages. In Massachusetts, for instance, our state affiliate reports that there is a documented shortage of certified nursing aides and that Haitian TPS holders make up a significant portion of the experienced nursing workforce in that state. Long-term nursing facilities in Florida – where many Haitians with TPS live provide care for the sick and elderly – would also be hard hit. It would be difficult and costly to find and train replacements for these experienced workers. Health care facilities, and most importantly patients, will suffer if these Haitian TPS holders are abruptly forced out of their jobs and the country.

Sending these Haitians home would rip families and communities apart. TPS holders will be understandably reluctant to take their U.S. citizen children to a country still facing severe public health challenges and other crisis conditions. These parents will be forced to separate from their children, or try to remain with them but without legal means to support their families and under constant threat of deportation.

Ending TPS for these Haitians would also harm Haiti’s struggling reconstruction effort. Haiti relies heavily on the substantial remittances that TPS holders send to
support relatives and community rebuilding efforts there. These remittances are particularly critical now that Haiti has lost similar remittances from Haitians working on islands badly damaged by this summer’s hurricanes.

Our health care economy relies on the dedicated hard work of many Haitians with TPS status, and they have repaid the protection with many years of care for our sick and elderly. We urge you to call on the administration to extend TPS designations for Haiti for 18 months while also working towards a legislative solution that would provide permanent legal status for these deserving individuals.

Respectfully,

[Signature]

Clifton J. Porter, II
Senior Vice President, Government Relations
November 3, 2017

The Honorable Elaine C. Duke
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Acting Secretary Duke,

On May 24, the Department of Homeland Security re-designated Haiti for 6 months of Temporary Protected Status, rather than the full 18 months requested by the Government of Haiti, Haiti experts in the United States, the Congressional Black Caucus, and others. This decision was against the weight of the facts on the ground, which included Haiti’s food scarcity crisis, cholera epidemic, and the ongoing challenges posed by the unprecedented 2010 earthquake. We write again to encourage DHS to fully extend Haiti’s TPS designation for 18 months by the November 23 deadline in light of the clear conditions that justify such continued treatment, including the damage caused by Hurricanes Irma and Maria, which has exacerbated these conditions.

As recently as October 4, 2017, the Haitian Ambassador to the United States wrote to you to formally request a full 18-month re-designation in light of the ongoing economic and humanitarian conditions that Haiti’s citizens face each day. In that letter, the Ambassador explicitly stated that the goal of this request was to allow Haiti to recover from the effects of the earthquake, cholera epidemic, and Hurricanes Matthew, Irma, and Maria so as to continue with Haiti’s recovery efforts and to become more independent of American assistance in the long term. The Ambassador also graciously invited you to visit Haiti and see such conditions for yourself. A government does not undertake such action lightly and this request should merit considerable weight.

A recent independent statutory analysis of Haiti’s qualification for TPS confirmed the validity of the government’s concerns, finding that the conditions that justified Haiti’s 2011 re-designation remain. The analysis found that nearly 40,000 Haitians uprooted by the 2010 earthquake are officially displaced and that many more likely remain unofficially displaced in dangerously inadequate shelters. The cholera epidemic that was tragically caused by international efforts to aid Haiti in 2010 more than doubled following Hurricane Matthew and is
expected to directly affect more than 30,000 people by the end of 2017. Hurricane Matthew also exacerbated the food insecurity crisis in Haiti, placing 2.4 million Haitians – 22 percent of its population – in the grips of an acute food insecurity crisis. Based on these clear facts, the analysis rightfully concluded that it is in the best interest of Haiti and the United States to re-designate Haiti for another 18 months of TPS because it continues to face extraordinary and temporary conditions stemming from the 2010 earthquake and worsened by subsequent events that justify such relief.

Despite these serious challenges, the Haitian government has been working diligently for years to improve its economy, public health conditions, and infrastructure in coordination with the United States government and international community. In order to accomplish this task, Haiti relies in large part on remittances that its citizens receive from TPS beneficiaries in the United States. Therefore, the negative consequences of terminating Haiti’s TPS designation would be twofold. It would end essential remittances that significantly contribute to Haiti’s recovery while also forcing the poorest republic in the Western Hemisphere to absorb the cost of reintegrating thousands of citizens all at once. Such actions could be catastrophic to Haiti’s recovery efforts and run counter to Congressional efforts to improve American relations in the region through the recently-passed United States-Caribbean Strategic Engagement Act (Public Law 114-291).

Finally, it is essential to note that Haitian TPS beneficiaries directly contribute to the United States. They pay taxes, spend money, contribute to Social Security and Medicare, and help promote American prosperity in numerous sectors, such as the restaurant and food service, construction, and hospitality industries. About 30 percent of TPS beneficiaries are homeowners, stimulating the real estate industry and contributing to the local property tax base. Also, one in nine TPS beneficiaries in the labor force is self-employed, meaning they not only create jobs for themselves, but likely create jobs for others. A recent report found that the expiration of Haitian TPS would cost America $2.8 billion over a decade in lost gross domestic product.

For these reasons, we urge you in the strongest terms to take advantage of the full amount of time granted by Congress to study the conditions on the ground and reach the only appropriate decision – a full 18-month re-designation of Haiti’s TPS designation.

Sincerely,

CEDRIC L. RICHMOND                      YVETTE D. CLARKE
Chair, Congressional Black Caucus   Chair, CBC Immigration Working Group

CORY BOOKER                              KAMALA D. HARRIS
U.S. Senator                       U.S. Senator

JOHN CONYERS, JR                        JOHN LEWIS
Member of Congress                  Member of Congress
G. K. BUTTERFIELD
Member of Congress

EMANUEL CLEAVER, Jr.
Member of Congress

AL GREEN
Member of Congress

GWEN S. MOORE
Member of Congress

KEITH ELLISON
Member of Congress

HANK JOHNSON
Member of Congress

ANDRE CARSON
Member of Congress

MARCIA L. FUDGE
Member of Congress

KAREN BASS
Member of Congress

TERRI A. SEWELL
Member of Congress

FREDERICA WILSON
Member of Congress

DONALD M. PAYNE, JR.
Member of Congress

JOYCE BEATTY
Member of Congress

HAKEEM JEFFRIES
Member of Congress

MARC VEASEY
Member of Congress

ROBIN KELLY
Member of Congress
CC:  John F. Kelly, White House Chief of Staff
     Rex W. Tillerson, Secretary of State
     L. Francis Cissna, Director of the U.S. Customs and Immigration Services


November 17, 2017

The Honorable Elaine C. Duke
Acting Secretary of Homeland Security
U.S. Department of Homeland Security
3801 Nebraska Avenue NW
Washington, DC 20528

Dear Acting Secretary Duke:

We write again to urge you to extend for a full 18 months Temporary Protected Status (TPS) for Haitians currently living in the United States. We appreciated the opportunity to meet with you and discuss the need for an extension. As you prepare to make a determination on extension, we encourage you to consider the full range of factors permitted under the law.

The need for a full extension is clear. Haiti—the poorest country in the Western Hemisphere—continues to recover from the devastating 2010 earthquake which killed more than 200,000 people and displaced more than a million. To this day, Haiti struggles to combat an outbreak of cholera introduced by United Nations relief workers following the earthquake that has already killed more than 10,000 people.

The extensive damage caused by Hurricane Matthew in 2016 only made Haiti’s recovery more difficult. For example, Matthew, a major hurricane, destroyed much of Haiti’s food crops, leaving millions of Haitians food insecure, according to some estimates. We believe that these persistent, difficult conditions in Haiti warrant a full extension, and that the law allows you to consider these factors among others in making a determination.

Furthermore, the Government of Haiti has requested an extension as it works to fully recover and rebuild for the benefit of all its people. We owe it to the Haitian people to assist them in their efforts, especially as they begin to make limited progress. Haiti simply cannot absorb the premature return of 60,000 people at once.

We share your concern for the welfare of the Haitian people. They are valuable members of our communities and families. Thank you for your consideration of this important matter.

Sincerely,

Bill Nelson

Marco Rubio
Alcee L. Hastings
Mario Diaz-Balart
Debbie Wasserman Schultz
Carlos Curbelo
Ileana Ros-Lehtinen
Lois Frankel
Ted Deutch
Frederica Wilson
Good afternoon Briana,

BIT/IMM (Monique Grame) clears the attached USCIS-drafted response without comment. PLCY Exec Sec offers no suggested edits. Do you clear for PLCY?

PLCY’s clearance is due to USCIS by 12:30 p.m. tomorrow (1/30).

Best regards,

Grant Blanton
Social Science Analyst
Office of Strategy, Policy, and Plans | Executive Secretariat
U.S. Department of Homeland Security

Good afternoon,

IMM PLCY has reviewed and clears without additional edits/comments. Thank you,
Monique Grame  
DHS Office of Policy  

From: Pley Exec Sec  
Sent: Monday, January 29, 2018 12:31 PM  
To: Immigration Policy  
Cc: Pley Exec Sec; PLCY-BIT Tasking; PLCY-SCO Tasking; Americas; Petyo, Briana  
Subject: [Due 1/31 at 10:30 a.m.] [USCIS Comment/Clearance] WF #1156035 - Rep. Jacky Rosen (D-NV) writes re: TPS for El Salvador, Honduras, Haiti, and Nicaragua

Good afternoon BIT/IMM,

Please review the attached USCIS-drafted response and provide comments/edits (in Track Changes) or clearance to PLCY Exec Sec by 10:30 a.m. on Wednesday, January 31.

BIT/Americas and TPSP/SCO are cc’d for awareness.

Best regards,

Grant Blanton  
Social Science Analyst  
Office of Strategy, Policy, and Plans | Executive Secretariat  
U.S. Department of Homeland Security

Sender: Pley Exec Sec; Petyo, Briana  
Recipient: Pley Exec Sec  
Sent Date: 2018/01/29 14:59:45
| Delivered Date: | 2018/01/29 14:59:47 |
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Withheld pursuant to exemption

(R)(5)

of the Freedom of Information and Privacy Act
Withheld pursuant to exemption
(R)(F)

of the Freedom of Information and Privacy Act
January 5, 2018

The Honorable Kirstjen Nielsen
Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20016

Dear Secretary Nielsen:

I write to strongly urge you to extend Temporary Protected Status (TPS) for individuals from El Salvador and Honduras and redesignate Haiti and Nicaragua for TPS. Ordering the deportation of hundreds of thousands of law-abiding individuals living and working in the U.S. is impractical, economically destructive, and inhumane. Failure to address the looming TPS crisis has the potential to separate families, undermine the U.S. economy, and send nearly 300,000 of our friends and neighbors back to countries they haven’t lived in for decades.

My own state of Nevada is home to about 6,300 TPS holders from El Salvador, Haiti, and Honduras, along with their 5,200 American-born children. These individuals contribute significantly to our economy and constitute a major part of the state’s hospitality workforce. TPS holders live and work legally in Nevada, contribute to payroll taxes, own businesses, shop at local stores, and are productive members of our community. The Center for American Progress estimates that ending TPS for Salvadorans alone would lead to over $250 million in GDP loss for Nevada. That is one reason why groups such as the American Hotel and Lodging Association and the U.S. Chamber of Commerce have come out in favor of extending TPS.

TPS recipients are also mothers, fathers, sons, daughters, neighbors, and friends, and they have built their lives here in Nevada. Most have lived and worked in our communities for many years, and in some cases, decades. In fact, the average Salvadoran TPS holder in Nevada has lived in the U.S. for over twenty years. Allowing TPS to expire would uproot people from their homes, destroy families, and collapse communities.

There is no question that Congress must act to provide relief to TPS recipients whose fate is currently in limbo, threatening their ability to remain in the country they know and love. However, in the meantime, it is imperative for the Administration to act now to ensure that families remain together, workers stay in their jobs, and the TPS program continues. I therefore implore you to extend Temporary Protected Status for individuals from El Salvador and Honduras and redesignate Haiti and Nicaragua for TPS immediately. The people of Nevada are counting on you.
Thank you for your attention to this urgent matter. I look forward to your response and prompt action.

Sincerely,

Jacky Rosen
Member of Congress
Please clear

From: [REDACTED] On Behalf Of Pcly Exec Sec
Sent: Wednesday, January 17, 2018 6:25 PM
To: Petyo, Briana
Cc: Pcly Exec Sec
Subject: (over)Due 3pm 1/17 [USCIS Draft] Response to Sen. Feinstein re TPS Determinations for Honduras, Nicaragua, and Haiti [WF-1155099]

Good afternoon Briana,

Lat-Am cleared (Cloe)—with the below highlighted comment—the attached USCIS-drafted response to Sen. Feinstein re the FRNs associated with TPS Determinations for Honduras, Nicaragua, and Haiti.

IMM cleared (Smith)—without comment.

PLCY review was due at 3pm today, 1/17.
Do you clear for PLCY?

From: [REDACTED] Office of Strategy, Policy, and Plans | ExecSec

Sent: Wednesday, January 17, 2018 5:55 PM
To: Pcly Exec Sec <[REDACTED]>; OIA-LATAM-C <[REDACTED]>
Cc: Americas <[REDACTED]>
Subject: RE: Due 2pm 1/17 [USCIS Draft] Response to Sen. Feinstein re TPS Determinations for Honduras, Nicaragua, and Haiti [WF-1155099]

Sorry Hilario —
Good afternoon Lat-Am,

Checking on the status of your review.

Thank you.

Good afternoon IMM PLCY and Latin America,

Please review the attached USCIS-drafted response to Sen. Feinstein re the FRNs associated with TPS Determinations for Honduras, Nicaragua, and Haiti and provide comment/clearance **by 2pm 1/17**.

Thank you.
<table>
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<tr>
<th><strong>Recipient:</strong></th>
<th><em>(b)(6)</em></th>
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<tbody>
<tr>
<td><strong>Sent Date:</strong></td>
<td>2018/01/17 18:28:10</td>
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</tbody>
</table>
Hi Kathy,

That's correct, the H-2 list must publish by January 18th.

Best,
Eric

Eric B. Johnson
DHS Office of Policy

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Sounds like it will publish on the same day. Remind me, Eric, but we don't have a choice with the H2 list, right? We can't wait until the week after next? The TPS notices are on their way, are overdue, and cannot be stopped. Just wondering if we can control H2 -- although maybe doing on the same day compresses the press attention from a week to two days and we'd prefer them on the same day.

---

From: Johnson, Eric
Sent: Friday, January 12, 2018 11:46 AM
To: Petyo, Briana; Ries, Lora L; Nuebel Kovarik, Kathy
Cc: Culver, Jared; Smith, Ian
Subject: FW: H-2 list publication in Federal Register next week
Briana/Lora/Kathy,

See below from OGC re: publication of the H-2 list, specifically as it relates to Haiti’s removal. Can you notify leadership accordingly?

OGC is working with OPA now, and State has notified relevant embassies to expect possible press inquiries.

Please let me know if you have any questions or concerns.

Thanks,

Eric

---

From: Westmoreland, Megan
Sent: Friday, January 12, 2018 11:08 AM
To: Johnson, Eric
Cc: McDonald, Christina; Stein, Lesley
Subject: H-2 list publication in Federal Register next week

Hi Eric,

Thanks,

Megan

Megan Westmoreland
Attorney-Advisor
Regulatory Affairs Law Division
Office of the General Counsel
U.S. Department of Homeland Security
**Warning** **Attorney/Client Privilege** **Attorney Work Product**

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| Sender: | Johnson, Eric | *(b)(6)* |
| Recipient: | Nuebel Kovarik, Kathy | *(b)(6)* |
| | *(b)(6)* |
| | Petyo, Briana | *(b)(6)* |
| | *(b)(6)* |
| | Ries, Lora | *(b)(6)* |
| | *(b)(6)* |
| | Culver, Jared | *(b)(6)* |
| | *(b)(6)* |
| | Smith, Ian | *(b)(6)* |
| | *(b)(6)* |

**Sent Date:** 2018/01/13 11:29:55
FYI – update below for TPS and H-2 publication tracking purposes.

Eric B. Johnson  
DHS Office of Policy

From: Westmoreland, Megan  
Sent: Friday, January 12, 2018 4:05 PM  
To: Houlton, Tyler; McDonald, Christina  
Cc: Stein, Lesley; Johnson, Eric  
Subject: RE: two Federal Register notices affecting Haiti

Tyler:

I have a few updates for you.

Please let me know if you have any questions.
Megan

Megan Westmoreland
Office of the General Counsel
U.S. Department of Homeland Security
Phone: (b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader for this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message or portion thereof is strictly prohibited. If you have received this message in error, please reply immediately to the sender and delete this message. Thank you.

From: Houlton, Tyler
Sent: Friday, January 12, 2018 1:03 PM
To: Westmoreland, Megan; McDonald, Christina
Cc: Stein, Lesley; Johnson, Eric
Subject: RE: two Federal Register notices affecting Haiti

This is all I need. Thank you

Tyler Q. Houlton
Press Secretary (Acting)
Department of Homeland Security

From: Westmoreland, Megan
Sent: Friday, January 12, 2018 1:02 PM
To: Houlton, Tyler; McDonald, Christina
Cc: Stein, Lesley; Johnson, Eric
Subject: RE: two Federal Register notices affecting Haiti

I’m looping Eric Johnson from PLCY in.

I would initially point to the explanation in the notice itself (see pp 4-5 of the attached), which I’ve pasted below. DHS coordinates extensively internally with the operational components and with the Department of State to develop each year’s list.

From the Fed Reg notice:

“The Secretary of Homeland Security has determined, however, with the concurrence of the Secretary of State, that the following countries should no longer be designated as eligible countries because they are not meeting the standards set out in the regulation: Belize, Haiti, and Samoa.

Belize is listed on the U.S. Department of State’s 2017 Trafficking in Persons Report as a “Tier 3” country. “Tier 3” means the country does not fully meet the Trafficking Victims Protection Act’s minimum standards and is not making significant efforts to do so.

Haitian nationals applying for H-2A and H-2B visas present extremely high rates of refusal, and those issued H-2A or H-2B visas have historically demonstrated high levels of fraud and abuse and a high rate of overstaying the terms of their H-2 admission. Haiti has shown no improvement in these areas,
and the Secretary of Homeland Security has determined, with the concurrence of the Secretary of State, that Haiti’s inclusion on the 2018 H-2A and H-2B lists is no longer in the U.S. interest.

Samoa is currently listed as “At Risk of Non-Compliance” according to ICE’s year-end assessment of foreign countries’ cooperation in accepting back their nationals who have been ordered removed from the United States. Despite attempts to improve cooperation on removals to Samoa, there has been not been sufficient progress on removals to Samoa.

Accordingly, DHS has removed these countries from the H-2A and H-2B eligibility lists for 2018, though their nationals may still be beneficiaries of approved H-2A and H-2B petitions upon the request of the petitioner if DHS determines, as a matter of discretion, that it is in the U.S. interest for the individual to be a beneficiary of such petition.”

Megan Westmoreland
Office of the General Counsel
U.S. Department of Homeland Security

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From: Houlton, Tyler
Sent: Friday, January 12, 2018 12:57 PM
To: McDonald, Christina <christina.mcdonald@hq.dhs.gov>; Westmoreland, Megan <megan.westmoreland@hq.dhs.gov>
Cc: Stein, Lesley <lesley.stein@hq.dhs.gov>
Subject: RE: two Federal Register notices affecting Haiti

Can they share with me why the three countries were removed/what the process is? Could get asked by media. Thanks

Tyler Q. Houlton
Press Secretary (Acting)
Department of Homeland Security

---

From: McDonald, Christina
Sent: Friday, January 12, 2018 12:56 PM
To: Houlton, Tyler; Westmoreland, Megan
Cc: Stein, Lesley
Subject: RE: two Federal Register notices affecting Haiti

Tyler:

Re the Haiti FRN – thanks.

Re the H2A/H2B Eligible Country List, PLCY has the lead for developing that notice & leading the intra- and inter-agency effort. It’s an annual notice, so it’s been in the works for many months.
Christina E. McDonald

(b)(6)

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From: Houlton, Tyler
Sent: Friday, January 12, 2018 12:55 PM
To: Westmoreland, Megan (b)(6)
Cc: McDonald, Christina (b)(6); Stein, Lesley (b)(6)
Subject: RE: two Federal Register notices affecting Haiti

FRN notice is good to go. We have a PAG on it. Do we have a Q&A doc from USCIS to answer any questions about the changes? First I’m hearing of this

Tyler Q. Houlton
Press Secretary (Acting)
Department of Homeland Security

(b)(6)

From: Westmoreland, Megan
Sent: Friday, January 12, 2018 11:40 AM
To: Houlton, Tyler (b)(6)
Cc: McDonald, Christina (b)(6); Stein, Lesley (b)(6)
Subject: two Federal Register notices affecting Haiti
Importance: High

(b)(5)
Thank you,

Megan

Megan Westmoreland  
Attorney-Advisor  
Regulatory Affairs Law Division  
Office of the General Counsel  
U.S. Department of Homeland Security

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***  
This communication and any attachments may contain confidential and/or sensitive attorney/client privileged information or attorney work product and/or law enforcement sensitive information. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please notify the sender if this email has been misdirected and immediately destroy all originals and copies. Furthermore do not print, copy, re-transmit, disseminate, or otherwise use this information. Any disclosure of this communication or its attachments must be approved by the Office of the General Counsel, U.S. Department of Homeland Security. This document is for INTERNAL GOVERNMENT USE ONLY and may be exempt from disclosure under the Freedom of Information Act, 5 USC §§ 552(b)(5), (b)(7).

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Duplicate

DHS-001-659-002085
Objective:
- You will meet with representatives of faith-based and non-governmental organizations, at their request, to discuss their concerns regarding the future of El Salvador’s Temporary Protected Status (TPS) designation.

Agenda:
- This meeting will be an unscripted conversation between you and senior representatives of several faith-based and non-governmental organizations advocating against ending TPS for El Salvador.

Key Messages
- Thank the organizations for their regular engagement with DHS on immigration-related issues.
- Highlight that you are taking your review of conditions in El Salvador and El Salvador’s TPS designation very seriously.

(b)(5)
History/Background:
- In 2017 alone, DHS (including, USCIS) conducted dozens of outreach meetings in Salvadoran communities throughout the country. The outreach includes, but is not limited to: community forums on TPS, panel discussions with Salvadoran community organizers, stakeholder teleconferences, regular meetings with TPS beneficiaries, news releases to the Salvadoran community, luncheons with Salvadoran government officials, meetings at local churches, and listening sessions.
- Currently, there are 10 countries designated for TPS. The countries are South Sudan, Sudan, Somalia, Honduras, Nicaragua, El Salvador, Syria, Haiti, Nepal and Yemen. TPS for Sudan terminates on November 2, 2018; TPS for Nicaragua terminates on January 5, 2019; and TPS for Haiti terminates on July 22, 2019.
- El Salvador was originally designated for TPS on March 9, 2001, on environmental disaster grounds, specifically because of the devastation caused by major earthquakes in January and February of that year.
- TPS is a temporary benefit that does not lead to lawful permanent resident status or give any other immigration status. Persons with TPS may seek an alternative lawful immigration status for which they are independently eligible.
- TPS beneficiaries are eligible to work in the United States while they hold TPS.
- Decisions on Honduras’ and Nicaragua’s TPS designations, the two other Central American countries designated for TPS, were announced by former Acting Secretary Duke on November 6, 2017.
  - Honduras’ TPS designation was automatically extended from January 6, 2018 through July 5, 2018. Nicaragua’s TPS designation was terminated with a delayed effective date of 12 months, effective January 5, 2019.
  - Federal Register Notices announcing the two decisions were published on December 15, 2017, and provide detailed information regarding re-registration for TPS and employment authorization.
- DHS is working to publish the FRN for the recent decision to terminate Haiti’s TPS designation with an 18-month transition period as expeditiously as possible. The notice will provide details regarding re-registration procedures and employment authorization for the 18-month transition period before Haiti’s TPS termination becomes effective on July 22, 2019.

Logistics:
- This meeting will take place at 2:30 p.m. on January 5, 2018 at the NAC.
- This meeting will be closed press.

Attachments:
A. Talking Points or Remarks
B. Agenda
C. Participant List
D. Biographies


Reviewed and approved by: Chief of Staff or higher, Title, Phone Number

OGC Reviewer: Attorney in Component Counsel or HQ, Title, Phone Number.

OGC coordination is essential. Please ensure that briefing materials have been fully coordinated with OGC. Lead components are now required to coordinate with their Component Counsel and identify in their OGC submission of briefing materials, who in their component counsel office reviewed and cleared.
I don’t

From: Hayden, Matt  
Sent: Wednesday, January 10, 2018 7:50:20 PM  
To: Petyo, Briana  
Subject: FW: Matt - very time sensitive - still no instructions for Haitians w/TPS Re: ACTING SECRETARY ELAINE DUKE ANNOUNCEMENT ON TEMPORARY PROTECTED STATUS FOR HAITI

Do we have visibility on FRN for Haiti?

From: Steve Forester, IJDH [mailto:bx@y]  
Sent: Wednesday, January 10, 2018 11:24 AM  
To: Hayden, Matt  
Subject: Matt - very time sensitive - still no instructions for Haitians w/TPS Re: ACTING SECRETARY ELAINE DUKE ANNOUNCEMENT ON TEMPORARY PROTECTED STATUS FOR HAITI

Matt, unless I missed it, there has been nothing published instructing Haitians with TPS what to do to extend their TPS status and work authorizations, which expire January 22 (for some reason, your website gives a January 18 date re work authorization https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-haiti).

Haitians with TPS are naturally concerned. Can you let me know when (hopefully imminently) something may be published?

Secondly and ideally, I suggest that the instruction could automatically, and without requiring the payment of fees, extend both the TPS status and work authorizations through the July 2019 termination date, and in user-friendly fashion enable those with TPS to print such a DHS-published instruction in order to have something to show their employers, etc.

Thanks for any elucidation, and best of the New Year,

Steven

DHS-001-659-002089
Steven Forester, Immigration Policy Coordinator, Institute for Justice & Democracy in Haiti
www.HaitiJustice.org

-----Original Message-----
From: Hayden, Matt <b(6)>
To: steveforester <b(6)>
Sent: Mon, Nov 20, 2017 8:09 pm
Subject: FW: ACTING SECRETARY ELAINE DUKE ANNOUNCEMENT ON TEMPORARY PROTECTED STATUS FOR HAITI

Steve,

Here is the press release for the announcement from the Acting Secretary tonight. Let me know if you have any questions or would like to setup a call to discuss.

Matt Hayden

From: DHS Press Office [mailto:b(6)]
Sent: Monday, November 20, 2017 7:35 PM
To: Hayden, Matt <b(6)>
Subject: ACTING SECRETARY ELAINE DUKE ANNOUNCEMENT ON TEMPORARY PROTECTED STATUS FOR HAITI

Press Release

November 20, 2017
Contact: DHS Press Office, (202) 282-8010

ACTING SECRETARY ELAINE DUKE ANNOUNCEMENT ON TEMPORARY PROTECTED STATUS FOR HAITI

WASHINGTON—Today, Acting Secretary of Homeland Security Elaine Duke announced her decision to terminate the Temporary Protected Status (TPS) designation for Haiti with a delayed effective date of 18 months to allow for an orderly transition before the designation terminates on July 22, 2019. This decision follows then-Secretary Kelly’s announcement in May 2017 that Haiti had made considerable progress, and that the country’s designation will likely not be extended.
past six months.

The decision to terminate TPS for Haiti was made after a review of the conditions upon which the country’s original designation were based and whether those extraordinary but temporary conditions prevented Haiti from adequately handling the return of their nationals, as required by statute. Based on all available information, including recommendations received as part of an inter-agency consultation process, Acting Secretary Duke determined that those extraordinary but temporary conditions caused by the 2010 earthquake no longer exist. Thus, under the applicable statute, the current TPS designation must be terminated.

Acting Secretary Duke met with Haitian Foreign Minister Antonio Rodrigue and Haitian Ambassador to the United States Paul Altidor recently in Washington to discuss the issue.

In 2017 alone, U.S. Citizenship and Immigration Services conducted extensive outreach to the Haitian communities throughout the country. These include but are not limited to community forums on TPS, panel discussions with Haitian community organizers, stakeholder teleconferences, regular meetings with TPS beneficiaries, news releases to the Haitian community, meetings with Haitian government officials, meetings at local churches, and listening sessions.

Since the 2010 earthquake, the number of displaced people in Haiti has decreased by 97 percent. Significant steps have been taken to improve the stability and quality of life for Haitian citizens, and Haiti is able to safely receive traditional levels of returned citizens. Haiti has also demonstrated a commitment to adequately prepare for when the country’s TPS designation is terminated.

In May 2017, then-Secretary Kelly announced a limited extension for Haiti’s TPS designation, stating that he believed there were indications that Haiti – if its recovery from the 2010 earthquake continued at pace – may not warrant further TPS extension past January 2018. At the time, then-Secretary Kelly stated that his six-month extension should give 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.

To allow for an orderly transition, the effective date of the termination of TPS for Haiti will be delayed 18 months. This will provide time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States, if eligible. It will also provide time for Haiti to prepare for the return and reintegration of their citizens. During this timeframe, USCIS will work with the State Department, other DHS components and the Government of Haiti to help educate relevant stakeholders and facilitate an orderly transition.

Haitians with TPS will be required to reapply for Employment Authorization Documents in order to legally work in the United States until the end of the respective termination or extension periods. Further details about this termination for TPS will appear in a Federal Register notice.

# # #
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| Sender: | Petyo, Briana | Email: | b/6 |
| Recipient: | Hayden, Matt | Email: | b/6 |
| Sent Date: | 2018/01/10 20:13:57 |
| Delivered Date: | 2018/01/10 20:13:58 |
Sorry should clarify TPS Haiti specifically.

**From:** Neumann, Elizabeth  
**Sent:** Friday, January 12, 2018 3:54 PM  
**To:** Petyo, Briana  
**Subject:** RE: heads up

thx

**From:** Petyo, Briana  
**Sent:** Friday, January 12, 2018 3:53 PM  
**To:** Neumann, Elizabeth  
**Subject:** heads up

Because of the delay on the TPS reg notice, its highly possible that the H2A/B list reg which removes Haiti from the list, will post either the same day or within one day of each other. Given current environment, it may make more news than normal. One of my immigration folks has reached out to Tyler and they are working on some TPs for media but want to be sure you and Chad are tracking.
 withhold pursuant to exemption
 (P)(5)
of the Freedom of Information and Privacy Act
Page 136 of 206

Withheld pursuant to exemption
(R)/(S)

of the Freedom of Information and Privacy Act
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of the Freedom of Information and Privacy Act
Page 146 of 206

Withheld pursuant to exemption
(R)(5)

of the Freedom of Information and Privacy Act
October 9, 2017

The Honorable Elaine C. Duke
Secretary of Homeland Security
Washington, D.C. 20528

Dear Secretary Duke:

The United States provides Temporary Protected Status (TPS) to more than 300,000 foreign residents. As the name implies, the TPS statute purports to provide temporary relief to foreign residents for a period of 6 to 18 months. However, the Executive repeatedly renews protected status, effectively providing a free and permanent pass into America – including all the benefits that come with it. I write to urge you, in accordance with President Trump’s ‘America First’ agenda, and through your power and authority as the Director of the Department of Homeland Security under Section 244(b)(3)(B) of the INA, 8 U.S.C. 1254a(b)(3)(B), to make an full determination of whether any foreign state continues to meet all conditions related to its TPS designation. Further, if such conditions are not plainly met then a full termination of any country’s TPS designation should be made.

Under President Trump’s bold agenda Congress and the Executive branch need to work together to reform these programs. I have introduced a bill, the TPS Reform Act (HR 2604), which would ensure that ‘temporary’ actually means temporary by establishing clear time limitations and creating statutory tests that must be met to grant the TPS designation. It is time for the federal government to return to operating within its own limitations and stop providing de facto amnesty for these foreign nationals long after the ongoing conflict and disaster in their country of origin has ceased. TPS was not intended to result in lawful permanent resident status but, due to an indifference to the program, TPS recipients have received de facto permanent status.

I also ask for you to use your authority under Section 244(b)(1) of the INA, 8 U.S.C. 1254a(b)(1) to not offer extension for Honduras and Nicaragua and let their TPS status expire in January 2018. Both, Honduras and Nicaragua, received the TPS designation as a result of Hurricane Mitch, which struck in October of 1998. Since then, both countries have continually received extensions of their TPS designation based on determinations that “conditions warranting the designation continue to be met.” It is time that these countries receive greater scrutiny. As Secretary Kelly made clear when providing a short term extension for Haiti in May of 2017 that DHS 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.”

MO BROOKS
5TH DISTRICT, ALABAMA
2400 RAYBURN HOB
WASHINGTON, DC 20515
PHONE: (202) 226-4801
www.brooks.house.gov

SCIENCE, SPACE, AND
TECHNOLOGY COMMITTEE
SPACE SUBCOMMITTEE
VICE-CHAIR
ARMED SERVICES COMMITTEE
FOREIGN AFFAIRS COMMITTEE

2101 WEST CLINTON AVENUE, SUITE 302
HUNTSVILLE, AL 35805
PHONE: (256) 561-0100
FAX: (256) 561-0194

102 SOUTH COURT STREET, SUITE 310
FLORENCE, AL 35630
DHS-801-869-002113
PHONE: (256) 718-0150
FAX: (256) 718-0150

302 LEE STREET, ROOM 86
DECATUR, AL 35601
PHONE: (256) 355-0400
FAX: (256) 355-0400
These countries should not inevitably receive another extension (a 14th overall extension) without sufficient justification. I request that if any TPS designation is extended that an analysis be provided to Congress detailing how the nexus between the original condition and the current conditions are related; Section 244(b)(1) of the INA authorizes the Secretary of DHS, after consultation with appropriate agencies of the U.S. Government, to designate a foreign state for TPS if the Secretary finds that certain conditions exist.

It is time that this consultation seriously evaluate the conditions and fully articulate a nexus between the conditions created by Hurricane Mitch and the current livable conditions in Honduras and Nicaragua. Are we really to believe that in two decades the condition has not progressed to the point where these TPS beneficiaries are not safe to return home because they are still rebuilding from Hurricane Mitch?

Sincerely,

Mo Brooks

Congressman Mo Brooks (AL-05)

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**Subject:** RE: [for your clearance] [USCIS Comment/Clearance] WF #1152843 - Sen. Kristen Gillibrand (D-NY) writes to urge that TPS designation be extended for Haiti.

**Date:** 2017/12/12 15:35:34

**Priority:** Normal

**Type:** Note

Cleared as attached

Duplicate
Good morning! Two things:

1) I wanted to flag for you that Mike Huston and I have spoken, and even if A/S Nealon had to be in DC on Dec 12 to staff S1 with Tillerson at the TOC meeting, he could still do the bulk of the Canada trip, as the meetings with the Amb and his key counterparts at PS and IRCC are on the 11th. He could either fly back on the last flight that night or the first flight the morning of the 12th. And CBP’s EAC Owen is coming to the PCG, so we could ask him to chair it if A/S Nealon weren’t there. So the good news is he could cover both the CAN & MX commitments.

2) I thought you’d be interested to know that right around when we left senior staff at 3pm, a Canadian colleague pinged me to advise that he had heard there would be an announcement yesterday. He apparently received the info from the foreign affairs ministry who was told by the State Department’s Canada desk. Not sure whether DHS even knew definitively at that point there’d be a decision yesterday, but it seemed odd to me that State Department’s Canada desk would know more about the TPS Haiti decision than individuals in DHS Policy.

If I don’t see you, Happy Thanksgiving! Hope you get to rest and relax.
Deborah

Director, Canadian Affairs and Senior Advisor on North America
U.S. Department of Homeland Security, Office of Policy
Good morning BIT/Americas (LATAM-C),

Please review the attached USCIS-drafted response to Sen. Cardin and, working with BIT/IMM for equities, provide PLCY-consolidated comments/edits (in Track Changes) or clearance to PLCY Exec Sec by 9:30 a.m. on Wednesday (12/13).

Best regards,

Grant Blanton
Social Science Analyst
Office of Strategy, Policy, and Plans | Executive Secretariat
U.S. Department of Homeland Security
Page 156 of 206

Withheld pursuant to exemption

(R)(5)

of the Freedom of Information and Privacy Act
Withdrawn pursuant to exemption

(R)/(S)

of the Freedom of Information and Privacy Act
November 8, 2017

The Honorable Elaine Duke
Acting Secretary of Homeland Security
U.S. Department of Homeland Security
3801 Nebraska Ave, NW
Washington, D.C. 20528

Dear Acting Secretary Duke:

I am writing to request that the Administration grant an 18-month extension of the Temporary Protected Status (TPS) designation for Haiti, which expires on January 22, 2018.

Established by statute in 1990, TPS permits the United States to offer temporary humanitarian protection to foreign nationals who are unable to return to safe conditions in their homeland. In the aftermath of Haiti’s catastrophic 2010 earthquake, which left more than 220,000 dead and more than 1.5 million displaced, approximately 58,000 Haitian nationals qualified for TPS.

Although Haiti has made important strides towards reconstruction, its capacity to effectively manage repatriation efforts have faced substantial setbacks, including the continuing cholera epidemic and devastating hurricane in late 2016. Additionally, conditions in Haiti were further compounded by the two category five hurricanes – Irma and Maria – that struck in September.

When the Department of Homeland Security (DHS) granted a six-month extension of the TPS designation for Haiti in June, then DHS Secretary Kelly stated that a new extension may not be necessary if Haiti continued its pace of recovery. However, as noted in a recent letter from Haiti’s Ambassador to the United States to Acting Secretary Duke, “the unforeseen natural disasters, including Hurricanes Irma and Maria, have significantly delayed the Government’s ability to adequately maintain the pace of recovery.” The Ambassador’s letter also documented that Hurricanes Irma and Maria caused significant damage to Haiti’s agriculture sector and related flooding displaced communities throughout the country.

These recent developments exacerbate already fragile conditions in Haiti. As the Department of Homeland Security’s own internal memorandum from April 2017 outlined, an estimated 30 percent of the population – approximately 3.2 million people – suffer from food insecurity and 40 percent of the population lacks access to fundamental health and nutrition services. Given the ongoing complications in Haiti, an extension of TPS is fully warranted.
In closing, I urge you to grant an 18-month extension of the TPS designation for Haiti. Thank you for attention to this important matter.

Sincerely.

Benjamin L. Cardin
Ranking Member

CC: The Honorable Rex Tillerson, Secretary of State, U.S. Department of State
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Attached.

**From:** St. John, Jillian  
**Sent:** Tuesday, November 21, 2017 8:25 AM  
**To:** Petyo, Briana  
**Subject:** RE: ACTING SECRETARY ELAINE DUKE ANNOUNCEMENT ON TEMPORARY PROTECTED STATUS FOR HAITI

Are there any TPs/guidance we can send to the attaches? We've been getting questions and I've been referring them to the press release, but wanted to check if there were other materials.

If not, happy to help draft TPs/Q&As if you think it would be useful.

Thanks,

Jill

---

**From:** DHS Press Office  
**Sent:** Monday, November 20, 2017 7:34:37 PM  
**To:** St. John, Jillian  
**Subject:** ACTING SECRETARY ELAINE DUKE ANNOUNCEMENT ON TEMPORARY PROTECTED STATUS FOR HAITI

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U.S. Department of Homeland Security seal

Press Office

U.S. Department of Homeland Security

Press Release
ACTING SECRETARY ELAINE DUKE ANNOUNCEMENT ON TEMPORARY PROTECTED STATUS FOR HAITI

WASHINGTON— Today, Acting Secretary of Homeland Security Elaine Duke announced her decision to terminate the Temporary Protected Status (TPS) designation for Haiti with a delayed effective date of 18 months to allow for an orderly transition before the designation terminates on July 22, 2019. This decision follows then-Secretary Kelly’s announcement in May 2017 that Haiti had made considerable progress, and that the country’s designation will likely not be extended past six months.

The decision to terminate TPS for Haiti was made after a review of the conditions upon which the country’s original designation were based and whether those extraordinary but temporary conditions prevented Haiti from adequately handling the return of their nationals, as required by statute. Based on all available information, including recommendations received as part of an inter-agency consultation process, Acting Secretary Duke determined that those extraordinary but temporary conditions caused by the 2010 earthquake no longer exist. Thus, under the applicable statute, the current TPS designation must be terminated.

Acting Secretary Duke met with Haitian Foreign Minister Antonio Rodrigue and Haitian Ambassador to the United States Paul Altidor recently in Washington to discuss the issue.

In 2017 alone, U.S. Citizenship and Immigration Services conducted extensive outreach to the Haitian communities throughout the country. These include but are not limited to community forums on TPS, panel discussions with Haitian community organizers, stakeholder teleconferences, regular meetings with TPS beneficiaries, news releases to the Haitian community, meetings with Haitian government officials, meetings at local churches, and listening sessions.

Since the 2010 earthquake, the number of displaced people in Haiti has decreased by 97 percent. Significant steps have been taken to improve the stability and quality of life for Haitian citizens, and Haiti is able to safely receive traditional levels of returned citizens. Haiti has also demonstrated a commitment to adequately prepare for when the country’s TPS designation is terminated.

In May 2017, then-Secretary Kelly announced a limited extension for Haiti’s TPS designation, stating that he believed there were indications that Haiti – if its recovery from the 2010 earthquake continued at pace – may not warrant further TPS extension past January 2018. At the time, then-Secretary Kelly stated that his six-month extension should give 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.
To allow for an orderly transition, the effective date of the termination of TPS for Haiti will be delayed 18 months. This will provide time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States, if eligible. It will also provide time for Haiti to prepare for the return and reintegration of their citizens. During this timeframe, USCIS will work with the State Department, other DHS components and the Government of Haiti to help educate relevant stakeholders and facilitate an orderly transition.

Haitians with TPS will be required to reapply for Employment Authorization Documents in order to legally work in the United States until the end of the respective termination or extension periods. Further details about this termination for TPS will appear in a Federal Register notice.

# # #
From: Nealon, James
Sent: Friday, November 17, 2017 4:30:42 PM
To: Petyo, Briana
Subject: FW: USCCB/MRS Haiti Trip Report

Should we excexc this as part of the Haiti info? They were among the group I met with earlier this week.

From: Melissa Hastings [mailto:]
Sent: Friday, November 17, 2017 2:41 PM
To: Nealon, James; Dougherty, Michael
Subject: USCCB/MRS Haiti Trip Report

Dear Assistant Secretary Nealon and Assistant Secretary Dougherty,

Thank you for taking the time to meet earlier this week on Temporary Protected Status for Haiti. My colleagues and I appreciated the opportunity to discuss this important issue with you. Attached please find an electronic copy of USCCB’s report on our delegation trip to Haiti, as well as the corresponding cover letter from Bishop Vásquez. Below please find the press release we issued in conjunction with the report.

Please let me know if you have any questions regarding the report. We look forward to future enagement.

Best,
Melissa

Melissa Velarde Hastings, Esq.
Policy Advisor
USCCB / Migration and Refugee Services
USCCB Migration and Refugee Services Releases Report Recommending Extension of Temporary Protected Status (TPS) for Haiti

November 9, 2017

WASHINGTON—The U.S. Conference of Catholic Bishops’ Office of Migration and Refugee Services (USCCB/MRS), released its report today, entitled *Haiti’s Ongoing Road to Recovery: The Necessity of an Extension of Temporary Protected Status*, recommending the U.S. government extend Temporary Protected Status (TPS) for Haiti.

Bishop Joe S. Vásquez of Austin, Texas, Chairman of the USCCB Committee on Migration, in a letter introducing the report, states: “[W]hile conditions in Haiti are improving, the country is not yet in a position where it can adequately and safely accept return of the estimated 50,000 Haitian nationals who have received TPS.”

A delegation from USCCB/MRS traveled to Haiti, from September 4-7, 2017, to examine the progress Haiti had made since its initial designation for TPS in 2010 and the challenges that remain. The delegation also assessed the ability of the country to safely accept and reintegrate returned nationals should TPS for Haiti be terminated. USCCB/MRS Committee Member, Archbishop Thomas Wenski of Miami, Florida, led the delegation and was accompanied by Bishop Launay Saturné of Jacmel, Haiti, as well as staff from MRS and the Catholic Legal Immigration Network, Inc.

Currently, there are an estimated 50,000 Haitians living in the U.S. with TPS. Through its work in Haiti and in the United States, the Catholic Church knows these individuals to be hardworking contributors to American communities, Catholic parishes, and our nation. Unfortunately, Haitian TPS recipients are living in a state of uncertainty and flux as Haiti’s current TPS designation is set to expire on January 22, 2018, with the Administration required to make a decision to extend or terminate the status by November 23, 2017.

Bishop Vásquez states in his introductory letter: “We urge the Administration to provide an 18-month extension of TPS for Haiti to ensure recipients’ continued protection while their country rebuilds. We further urge Congress to work in a bipartisan manner to find a
legislative solution for TPS recipients who have been in the United States for many years.”

This report and other resources related to TPS are available on the Justice for Immigrants website at: www.justiceforimmigrants.org. Resources include a backgrounder on TPS, a toolkit for Catholic leaders that offers ideas on how to show their support and solidarity with TPS recipients, and the USCCB/MRS report on TPS for El Salvador and Honduras. The full text of the Haiti report can be found at: http://www.usccb.org/about/migration-policy/fact-finding-mission-reports/upload/mrs-haiti-trip-report.pdf.

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Keywords: U.S. Conference of Catholic Bishops, USCCB, Bishop Joe S. Vásquez, Archbishop Thomas Wenski, Temporary Protected Status (TPS), Bishop Launay Saturné of Jacmel, Haiti, U.S. Congress, legislative solution, Justice for Immigrants, El Salvador, Honduras.

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November 9, 2017

Dear Brothers and Sisters,

On behalf of the U.S. Conference of Catholic Bishops’ (USCCB) Committee on Migration, I am pleased to share the following report by the Office of Migration and Refugee Services, entitled “Haiti’s Ongoing Road to Recovery: The Necessity of an Extension of Temporary Protected Status.”

USCCB’s deep concern for individuals with TPS is rooted in Catholic Social Teaching and its experience with welcoming and integrating large populations of immigrants to the U.S. As Catholics, we support justice, the common good, and the human dignity of every person. We are also responding to the call of Pope Francis who exhorts Catholics to act in solidarity with refugees, migrants, and all those seeking safety from the ravages of violence, environmental disasters, and despair.

TPS allows individuals to remain and work lawfully in the U.S. during a period in which it is deemed unsafe for them to return to their home country. Currently, there are an estimated 320,000 individuals living in the U.S. with TPS; many of these individuals have been in the U.S. for years and have careers, home mortgages, and family members with U.S. citizenship. If TPS is not extended, these individuals’ lives will be uprooted and their families will face the heartbreaking choice of being separated or returning together to countries where they may suffer protection concerns, intense integration needs, and barriers to success.

For Haiti, one of the several countries designated for TPS, the Administration must make a decision to extend TPS by November 23, 2017. As the following report indicates, while conditions in Haiti are improving, the country is not yet in a position where it can adequately and safely accept return of the estimated 50,000 Haitian nationals who have received TPS. Haiti is still very much in the midst of its recovery and the recent hurricanes have severely compounded the challenges created by the 2010 earthquake. Terminating TPS for Haiti at this time would threaten the safety of those individuals returned, divert already limited resources away from the path to recovery, and undermine the progress that has been made.

We believe our nation has a moral responsibility to provide continued temporary protection until TPS holders’ return and reintegration can be safely accomplished. TPS recipients are an integral part of the fabric of our communities. They worship in our churches, they own homes and businesses, and they make important contributions to our economy. Extending TPS for Haiti is both a compassionate and warranted action. It will ensure TPS recipients’ continued safety, as well as their ability to legally work and live with dignity. In addition, extending TPS will help facilitate
Haiti’s long-term reconstruction as those with TPS will be able to continue to send home remittances to help the country rebuild.

We write in solidarity with Haitians at home and abroad, and we continue to keep these individuals, their families, and all those impacted by natural disaster in our prayers. We ask Catholics and others of goodwill to continue to welcome TPS recipients, along with all immigrants and refugees, into their parishes and communities, recognizing the many contributions of these individuals to our nation. We urge the Administration to provide an 18-month extension of TPS for Haiti to ensure recipients’ continued protection while their country rebuilds. Finally, we urge Congress to work in a bipartisan manner to find a legislative solution for TPS recipients who have been in the United States for many years.

Sincerely,

[Signature]

Most Rev. Joe S. Vásquez
Chairman, USCCB Committee on Migration
I. INTRODUCTION

From September 4-7, 2017, a delegation from the U.S. Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) traveled to Port-au-Prince, Haiti to examine country conditions and analyze the need for an extension of Temporary Protected Status (TPS) for Haitian nationals living in the U.S.

Most Reverend Thomas Wenski, Archbishop of Miami and a member of the USCCB Committee on Migration led the delegation. Archbishop Wenski was accompanied by Most Reverend Launay Saturné, Bishop of Jacmel, Haiti; William Canny, Executive Director of USCCB/MRS; Jeanne Atkinson, Executive Director of the Catholic Legal Immigration Network, Inc. (CLINIC); and Melissa Hastings, Policy Advisor at USCCB/MRS.

TPS is a temporary, renewable, and statutorily authorized immigration status that allows individuals to remain and work lawfully in the U.S. during a period in which it is deemed unsafe for nationals of that country to return home. Congress passed TPS as part of the Immigration Act of 1990, which President George H.W. Bush signed into law on November 29, 1990.1 The Secretary of Homeland Security, in consultation with other appropriate agencies, may designate a country for TPS in instances of ongoing armed conflict, environmental disaster or epidemic, or in other situations where there are extraordinary and temporary conditions that prevent nationals from safely returning to their home country.2

Currently, there are an estimated 50,000 Haitians living in the U.S. with TPS.3 Through its work in Haiti and in the United States, the Catholic Church knows these individuals to be hardworking contributors to American communities, Catholic parishes, and our nation. Over 81 percent of Haitian TPS recipients work in the U.S. labor force.4 These individuals and families have ties to the U.S. in the form of careers, home mortgages, and family members with U.S. citizenship. Given these equities, there is a significant need for Congress to find a legislative solution for long-term TPS recipients.

Unfortunately, without a legislative solution, Haitian TPS recipients are living in a state of uncertainty and flux as Haiti’s current TPS designation is set to expire on January 22, 2018.5 As discussed in Section II, the Department of Homeland Security (DHS) most recently extended TPS for Haiti on May 24, 2017 for a period of six months.6 Per the statutory requirements, the Administration will need to make a decision on whether to extend TPS for Haiti by November 23, 2017.7
With this deadline quickly approaching, the USCCB/MRS delegation, which included the Executive Director of CLINIC, traveled to Port-au-Prince to meet with Haitian government officials, the U.S. Embassy, the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Program (UNDP), and the International Organization for Migration (IOM), as well as other international and civil society actors. Through direct observations and discussions with these actors, the delegation analyzed the progress Haiti had made since its initial designation for TPS in 2010 and examined the challenges that remain. The delegation also assessed the ability of the country to safely accept and reintegrate returned nationals should TPS for Haiti be terminated. Finally, the delegation worked with the Archdiocese of Miami and the Justice for Immigrants network to gain the perspective of TPS recipients and a better understanding of the challenges that recipients and their families would face if TPS is not extended and a legislative solution is not found.

USCCB/MRS’s deep concern for individuals with TPS is rooted in Catholic Social Teaching and its experience with welcoming and integrating large populations of migrants to the U.S. God calls upon His faithful to care for the foreigner, whom others marginalize, because of their own experience as foreigners: “So, you, too, must befriend the alien, for you were once aliens yourselves in the land of Egypt.” Jesus was also forced to flee his home, and identifies himself with newcomers and with other marginalized people in a special way: “I was a stranger and you welcomed me.” In modern times, popes over the last 100 years have continued to develop the Church’s teaching on migration. Pope Pius XII reaffirmed the Catholic Church’s commitment to caring for pilgrims, foreigners, exiles, refugees, and migrants of every kind, affirming that all people have the right to conditions worthy of human life and, if these conditions are not present, the right to migrate. Pope Francis has provided recent guidance, saying: “Collective and arbitrary expulsions of migrants and refugees are not suitable solutions, particularly where people are returned to countries which cannot guarantee respect for human dignity and fundamental rights.”

This report details the delegation’s findings and corresponding policy recommendations.

II. OVERVIEW: HAITI’S PROGRESS TOWARDS RECOVERY HAS BEEN LIMITED AND TENUOUS

In 2010, Haiti was devastated by the strongest earthquake to hit the country in 200 years. While Haiti has made notable and important progress since this disaster, its limited resources have impeded swift recovery. Haiti, a nation slightly smaller than Maryland and home to 11 million people, remains the poorest country in the Western Hemisphere and one of the poorest in the world. In addition to economic barriers to recovery, recent hurricanes and flooding have further delayed the nation’s reconstruction and rehabilitation. To date, the United States has recognized the ongoing challenges faced by Haiti, as well as the necessity and benefits of providing protection to Haiti’s displaced diaspora through TPS.

During its assessment of conditions in Haiti and the ability of the nation to safely accept return of its nationals, the delegation found that while conditions are improving, as shown by the lessening numbers of internally displaced persons (IDPs) and a reduction in severity of the cholera epidemic, the country is not yet at a point where it can safely accommodate the return of 50,000 TPS recipients. Haiti is still a country in the midst of recovery, as evidenced by the thousands that remain displaced in camps and the key infrastructure that has yet to be rebuilt. And while cholera cases decreased in 2017, there have still been thousands of new cases reported this year. Furthermore, as discussed in Section III(B), the delegation found that recent hurricanes have substantially impeded Haiti’s efforts to rebuild and have contributed to the pervasive poverty and food insecurity, with Hurricane Matthew alone causing an estimated $2.8 billion of damage in 2016.

Terminating TPS would further strain Haiti’s institutions, weaken the Haitian economy, increase irregular re-migration, and divert resources away from the path to recovery. A return of TPS recipients to Haiti at this time would exacerbate the ongoing effects of the natural disasters and a loss of remittances from TPS recipients would be a severely destabilizing force. Furthermore, the delegation found no evidence of capacity to provide large-scale reintegration ser-
Samuel’s Story* - A Family Facing Separation and Upheaval

Samuel, a client of Catholic Legal Services, Archdiocese of Miami, Inc. (CLS), is one such TPS recipient with strong ties to the U.S. Samuel came to the U.S. in 1998. He lives in Florida, where he has worked for the same company for 16 years. He is a father of five, and his two youngest children are U.S. citizens. If TPS is terminated, Samuel faces the possibility of being torn from his home and career. His family also faces imminent separation and will have to make life-changing, difficult decisions. They anticipate that Samuel and his wife, also a TPS recipient, would return to Haiti with their younger children, while their older children would try to obtain status in Canada. In addition to this separation, Samuel worries about the ability of his U.S. citizen children to integrate and adapt to life in Haiti. He worries that they would be targets for kidnapping, as individuals who have lived in the U.S. are often perceived as being affluent.

This six-month extension is set to expire on January 22, 2018. As noted above, however, DHS is statutorily required to make a decision to extend or terminate Haiti’s TPS designation by November 23, 2017.

III. FINDINGS

A. While progress is being made, recovery is far from complete, and the “extraordinary and temporary conditions” that warranted Haiti’s TPS designation remain.

The delegation found that notable progress has been made in Haiti since 2010, including improved political stability, reduction in cholera cases, and a decrease in the number of IDPs. While this progress is heartening, the delegation also found that the recovery process is far from complete. The country is still struggling to rebuild and attract investments, meanwhile food insecurity, poor sanitation, and the ongoing cholera epidemic remain significant barriers to Haiti’s full recovery. The Catholic Church itself, while slowly rebuilding, has yet to obtain full recovery, as evidenced by its earthquake-decimated Cathedral. At this time, the continuing challenges would be exacerbated by the return of 50,000 TPS recipients. The delegation remains hopeful, however, that the notable progress made is indicative of the temporary nature of these conditions.

Economy & Poverty. The delegation consistently observed that poverty remains a systemic problem in Haiti. Nearly 60 percent of Haitians live under the national poverty line of $2.41 per day.25 As noted by one UNDP representative, in Haiti “people are either poor or very poor,” with unemployment for youth remaining a particularly pervasive problem.26

The 2010 earthquake caused an estimated $8 - 14 billion in damage,27 and recovery from a disaster of this magnitude has understandably been slow, particularly given Haiti’s limited resources. Organizations such as Catholic Relief Services (CRS) in Haiti assist with emergency response, as well as educational, health, and agricultural recovery needs. Nevertheless, reconstruction remains a challenge, particularly as economic growth has slowed to one percent and the fiscal deficit is expected to widen this year.28 The delegation heard of the need to relaunch the Haitian economy, with key areas for potential growth including the tourism, agricultural, and textile industries.29 In the wake of Hurricane Matthew, however, it has been very difficult to secure investments other

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Haiti’s Ongoing Road to Recovery
estimated that the Cathedral will cost $50-60 million to rebuild, a sum against which very little has been raised. In the interim, the Church has been utilizing a temporary Cathedral. The Church has, in partnership with CRS – Haiti, been able to rebuild the teaching hospital of St. François de Sales, which was destroyed in the earthquake. This reconstruction was vital, as the hospital serves some of the most vulnerable and impoverished in Port-au-Prince.

In terms of housing, thousands remain displaced. While the number is significantly less than immediately following the 2010 earthquake, UNDP has estimated that there are still about 55,000 people in camps or squatting on land they hope to claim. Unfortunately, IOM has encountered a slowdown in the placement of displaced Haitian families due to lack of durable housing solutions. The delegation also observed that quality of housing remains a true challenge. Many shelters along the streets of Port-au-Prince are poorly constructed with tin, resulting in temperatures so extreme during summer months that they are virtually uninhabitable during the day.

Sanitation & Cholera. The delegation observed the lack of adequate sanitation and heard about this continued issue from those interviewed. The ongoing sanitation challenges present a significant health risk for Haitians. The Government of Haiti informed the delegation that they are looking for ways to provide improved sanitation, but currently there is no public trash system and garbage lines many of the streets in downtown Port-au-Prince. Access to clean drinking water has also been an ongoing problem for the country, as evidenced by the cholera epidemic. There is a clear need for investment in improved water and sanitation systems. These infrastructure challenges will be further exacerbated if approximately 50,000 Haitians are returned en masse before lasting improvements have been made.

From the time cholera was initially introduced in Haiti by United Nations (UN) soldiers, in October 2010, to August 2017, the UN has recorded 815,000 cholera cases and an estimated 9,700 cholera-related deaths. The cholera epidemic has improved significantly from 2016, with commendable vaccination efforts underway, including a vaccination campaign in the South and Grand’Anse departments. Nonetheless, cholera remains a serious threat, particularly in the Ar-
Mitsu’s Story – Living with the Knowledge that Haiti is Not Ready for TPS to be Terminated

Mitsu and her brother entered the U.S. on student visas to attend college; they are both now TPS recipients. Mitsu works as a physician assistant, and is grateful for the ability to help support her parents in Haiti. Mitsu speaks with her parents frequently about the situation back home. She knows that while you may not see those displaced on the main streets of Port-au-Prince, the tent camps are there if you know where to look – grouped into certain parts of the city. She knows the infrastructural challenges that remain, reporting that her parents, living in the Port-au-Prince area, only get electricity for a few hours each week. Additionally, having had family and friends kidnapped and assassinated, she knows of the safety and security concerns faced by the nation. The possibility of having TPS terminated is a stress with which Mitsu and her brother are constantly living. She notes: “If you send people to a country with no options and no future, they are just going to come back.”

tobonite and Centre departments, with 10,527 cholera cases reported between January and September 2017. As noted by the Government of Haiti: “Valuable resources initially earmarked for addressing critical earthquake recovery issues had to be re-appropriated to eradicate this epidemic, with limited support from the United Nations.” The delegation confirmed that the UN program is having difficulty collecting funds needed to continue the battle against cholera, with current funding only covering about two percent of the total need. Without sufficient funding, concern remains that Haiti may suffer a retrogression in battling the epidemic.

Food Insecurity. The Government of Haiti highlighted important efforts to increase agricultural yields. Its progress in the area of rice production has been notable, with rice production increasing from 80,000 tons to 200,000-300,000 tons per year. Unfortunately, however, food insecurity continues to plague millions in Haiti. In 2017, over 2.35 million Haitians faced acute food insecurity, and an estimated 18,000 children under the age of five suffered from severe acute malnutrition. A key challenge is the lack of adequate funding to help mitigate malnutrition in remote areas.

The delegation learned that recent flooding and hurricanes (discussed in Section III(B), infra) have contributed to food shortages and insecurity. A UNDP representative confirmed that the 2017 spring harvest in the South produced far less than during a typical year. Officials hope that the November harvest will be adequate, but with flooding caused by Hurricanes Irma and Maria, this remains uncertain. Such food insecurity would be intensified by the return of the estimated 50,000 Haitian TPS recipients.

Political Stability. The delegation found that political stability in Haiti has improved since the recent elections. Haiti’s improved stability is evidenced in one respect by the wind down of the 13-year UN Stabilization Mission in Haiti (MINUSTAH) on October 15, 2017. Yet, the Director of MINUSTAH informed the delegation that “[s]ome issues [faced by the country] will far and long outlast MINUSTAH.” And, in fact, the UN is not pulling out of Haiti entirely. Rather, it will be transitioning to a smaller follow-up mission, the UN Mission for Justice Support in Haiti. This mission, which has a two-year mandate, will be focused on rule of law, including justice, peace, and human rights. It does not have a military component but will include civilian staff one-fifth the size of MINUSTAH and will support the national police units.

While the delegation repeatedly heard of Haiti’s improved stability, it was also noted by a UNDP representative that the President’s tenure is still relatively new and largely untested. Further, it remains to be seen how the country will fare without the UN military presence. Recently, tensions have increased in the country due to the highly disputed national budget and tax increase, with protests turning violent in early October. Tension also mounted over the President’s decision to remobilize Haiti’s defunct army. An EU representative informed the delegation that the President is anticipated to have recruited a few hundred individuals for the Army by the end of 2017, with an objective to recruit 3,000 to 5,000 individuals to serve by the end of the mandate. The structure and financing for the Army has yet to be clearly defined, but some fear it could present a risk of turning into a militia. Such tensions and protests underscore the continued fragility of Haiti’s political stability. And, as noted by the Minister of Foreign Affairs, returning TPS recipients “would make governing the country harder.”

B. Hurricanes Matthew, Irma, and Maria have impeded Haiti’s progress towards recovery.

The delegation found that the recent hurricanes have severely compounded the challenges already facing Haiti from the earthquake. Taken together, these natural disasters have further contributed to hazardous conditions in Haiti and, understandably, have lengthened the road to recovery. The Government of Haiti acknowledged the magnitude of the setback in its October 4, 2017 letter to Acting DHS Secretary Elaine Duke, stating: “However, despite best efforts and tangible progress, unforeseen natural disasters, including Hurricanes Irma and Maria, have significantly delayed the Government’s ability to adequately maintain the pace of recovery from the 2010 earthquake.”

Hurricane Matthew, a category 4 hurricane, devastated Haiti on October 4, 2016. Matthew was the most severe natural disaster suffered by Haiti since the earthquake. It affected 2.1 million Haitians, leaving 1.4 million in need of urgent humanitarian assistance and killing hundreds. Matthew also left tens of thousands with damaged or destroyed homes and, in the southern departments, a third of hospitals and over 700 schools were damaged. Adding to this catastrophe, flood waters compromised the
Tamara’s Story – A Young Student with an Uncertain Future

Tamara, a 23-year-old young woman and client of CLS, fled Haiti after the earthquake and has been living in the United States since January 2010. Tamara, along with her parents, received TPS, but her two younger brothers were born after their arrival and are U.S. citizens. Tamara received her associate’s degree in pharmacy technician studies at the end of 2016. She is currently a junior at Florida International University, studying to become a pharmacist. If TPS is terminated, Tamara will be unable to complete her studies and recognize her dream of becoming a pharmacist. Additionally, given Haiti’s underdeveloped health sector, it is also highly unlikely that Tamara will be able to get a job in her chosen field when she returns to Haiti.

water supply and destroyed essential crops. Agricultural losses were estimated at $573 million and approximately 806,000 individuals were left in extreme food insecurity as a result of the hurricane. Overall, the damage caused by Hurricane Matthew was equivalent to 32 percent of Haiti’s GDP. The magnitude of this disaster is evident when compared to the fact that weather-related disasters on average have resulted in annual losses of an estimated two percent of Haiti’s GDP since 1975.

The delegation learned of many key efforts that have been initiated to facilitate recovery from Hurricane Matthew. For instance, CRS in Haiti has provided seeds and agricultural inputs to nearly 18,000 households; although after severe flooding in April 2017, many of these seeds had to be redistributed as farmers lost their crops. Reconstruction of major roads and transportation routes has also begun. Haitian government officials noted their efforts in the South to repair roads, including the main national road of which reconstruction is almost complete, and to clean river beds in the South in an effort to avoid future flooding. In addition, approximately 180 damaged schools have been repaired.

And while these are significant efforts, it was evident to the delegation that substantial challenges remain. For instance, the 180 schools that have been rehabilitated represent only a fraction of the total affected schools. Additionally, even a year later, the UN has found that “a greater part of the 2.1 million people affected by Hurricane Matthew in October 2016 are still in need of humanitarian assistance.”

Hurricanes Irma and Maria. The delegation’s trip occurred in the lead up to Hurricane Irma, a category 5 storm, with the group on the ground just hours before the storm hit on September 7, 2017. The delegation spoke to numerous entities about the preparations being made for Irma. A UNDP official noted that it was expected that Hurricane Irma would be much larger than Hurricane Matthew, with an anticipated 40 percent of the country to be impacted. She further informed the delegation that while the UN was working with the Haitian government and evacuation plans were in place, there was insufficient shelter space and provisions. The delegation also learned from CRS about the important role of civil society in the emergency response plan. CRS, for example, had partnered with Caritas and sent employees into the field in northern Haiti to help move individuals into shelters at schools and churches. They also were engaged in preparation to bring supplies to affected areas after the storm. Haiti’s system to respond to natural disaster appeared improved, but it was clear to the delegation from the number of private actors and entities involved that these same entities would be called upon again in the face of future disaster, lessening their capacity to engage in other necessary projects, such as reintegration efforts.

While Haiti was fortunate that Hurricane Irma did not wreak as much havoc on the nation as initially feared, the impact in northern Haiti was not, by any means, insignificant. The eye of the hurricane hit north of Haiti, however, 22 communities near Haiti’s northern coast, in the departments of Artibonite, Centre, Nord, Nord-Est, Nord-Ouest and Ouest, suffered extensive rainfall, severe winds, and flooding. As noted by CRS, “[i]n the coastal communities are low-lying and flood prone with some of the poorest populations.” Over 12,500 Haitians were evacuated from their homes and, as of September 11, approximately 6,500 people continued to be housed in shelters. Irma damaged over 2,600 homes, completely destroyed nearly 500 homes, and severely damaged over 20 schools. CRS has provided financial assistance to help mobilize affected schools and has provided tarps for distribution in remote areas where extremely vulnerable families’ homes were damaged. Unfortunately, the flooding also caused significant agricultural losses in the Centre, Nord-Est and Nord-Ouest departments.

Photo Credit: Getty Images

Northern Haiti then suffered another setback when Hurricane Maria brought heavy rains and wind to the Nord-Ouest, Nord, and Nord-East departments on September 22,
The storm flooded an estimated 2,000 homes and damaged nearly 50 homes. Reports shared with the delegation indicate that, as of late September, schools were still not operating at full capacity in the North and Northeast departments after the two hurricanes. Due to the flooding, concerns have also been raised about the increased risk of cholera and other waterborne diseases.

The impact of these hurricanes on neighboring countries with large Haitian populations, such as the Turks and Caicos, also poses a significant threat to the struggling Haitian economy. As will be discussed in Section III(D), the importance of remittances from the Haitian diaspora was highlighted in nearly every conversation the delegation had with stakeholders.

C. Conditions in Haiti are such that nationals cannot be safely returned at this time, particularly as adequate reintegration programs are lacking.

Haiti is not yet in a position to safely and adequately accommodate the return of 50,000 nationals who are currently TPS recipients. As an initial matter, Haiti is already struggling to cope with a migration crisis at its border with the Dominican Republic, a crisis which is straining the resources and capacity of stakeholders to respond. UNHCR noted that, since July 2015, over 200,000 Haitians in the Dominican Republic have been deported, voluntarily returned, or returned under fear of deportation and violence, including, according to President Moïse’s advisors, over 1,500 individuals the week before the delegation’s visit. As noted by UNHCR, many of these individuals have lived years outside of Haiti; when they are returned, they are staying along the border because they have no home or livelihood to which to return. Additionally, many individuals have been left stateless due to a revision of the Dominican Republic’s laws on citizenship and its retroactive application. Such realities make returnees at the border particularly vulnerable, with reports showing that “[a]bout a quarter of the estimated 737,000 people, including 355,640 children, located near the border are at direct risk of trafficking.”

During conversations with representatives from UNDP, UNHCR, the EU, and Jesuit Migration Service (JMS), the delegation learned of the Haitian government’s failure to adequately respond to this crisis on the Haiti-Dominican Republic border and found a lack of confidence in the government’s ability to adequately do so. The UNDP reported that when repatriations from the Dominican Republic began, UNDP officials were shocked by the lack of reaction by the Haitian government and the fact that government officials were asking the UN what would be done about the crisis. UNHCR explained that while returnees are supposed to be provided 1,000 Gourde (~$16-$17) by the Haitian government so that they can return to their communities of origin, this is not regularly occurring due to economic constraints. An EU representative also noted that while the EU has provided funding for reintegration of Haitians from the Dominican Republic, not all of the fund is being used and it is not being used as effectively as it could be. And while JMS and Le Groupe d’Appui aux Rapatriés et Réfugiés (GARR) are doing what they can to serve recent returnees at the border with limited resources, without sustained reintegration services, JMS reported that individuals often stay only a few days and then re-migrate without authorization.

Forced and economic migration is a much larger problem for Haiti overall. In addition to seeing individuals repatriated, including through forcible return, from the Dominican Republic, Haiti is witnessing nationals leave the country en masse for Chile, frequently as individuals are unable to support themselves and their families in Haiti. Haitian migration to Chile has increased rapidly over the last year. The delegation was informed that in 2016, approximately 45,000 Haitians left for Chile, while so far in 2017, 90,000 have already made the journey. Recently, approximately 300 Haitians are being forced by poverty to migrate to Chile each day. As noted by a UNDP official: “If there is still such a massive exodus per day – people aren’t leaving for nothing.” The Minister of Foreign Affairs also noted that Haitians are leaving by boat for Suriname, Guyana, and French Guiana. Returning TPS recipients to Haiti at this time would exacerbate conditions and could lead to an increase in re-migration to these countries, as well as others like Chile, the Dominican Republic, and the U.S.
Returning TPS recipients could have a particularly devastating impact on Port-au-Prince. If TPS is terminated, it is expected that as many as 30,000-45,000 individuals would specifically return to the Port-au-Prince area. As Bishop Saturné explained, when individuals voluntarily return to Haiti, they typically will return to their communities of origin, but when individuals are forced to return, many stay in Port-au-Prince.\textsuperscript{92} Without proper reintegration services, this influx of residents would undoubtedly exacerbate challenges faced by those in the capital city. One direct consequence would be an extreme tightening of an already weak labor market. As observed by a Special Advisor to President Moïse, many who received TPS were those whose situations were so dire that they would have little to come back to. And while some returnees would bring with them a skill set from their work and education in the U.S., as noted by a UNDP representative, conditions for any person to start a small enterprise or find a job are not favorable.\textsuperscript{93} Haitians with degrees are often compelled to take low-paying jobs or those in the informal sector as many cannot find work requiring a degree. Returning TPS recipients would further strain this limited job market, putting more individuals at risk for exploitation and abuse in the labor sector.

Furthermore, as noted above, the delegation did not find evidence of sufficient capacity to provide returnees with adequate and sustained reintegration services should TPS be terminated. While IOM, with funding from the U.S. Agency for International Development, partnered with the Haitian government to provide services to approximately 4,000 Haitian returnees when the U.S. resumed deportations to Haiti in November 2016, this “Post-Return Humanitarian Assistance to Deportees” program is no longer in existence.\textsuperscript{94} IOM’s program provided some limited support to repatriated individuals. IOM met returnees at the airport and provided individuals with hygiene kits, a short on-site psycho-social and medical service, and $100 for individuals to return to their communities of origin. IOM also had bed space available for those individuals who needed shelter for a few nights upon their return. IOM reported that many individuals served initially exhibited signs of aggression because they did not know where they were going or how to get into contact with family in Haiti. Many had also suffered trauma during their migration journeys. While IOM noted the need for additional psycho-social assistance, due to lack a of funding and capacity, IOM could not provide sustained reintegration services to these individuals. Consequently, there is also a lack of data available on the outcomes for returned individuals. As stressed by an IOM representative: “We talk about return, but reintegration – this is missing.”\textsuperscript{95} Similarly, Officials from the Government of Haiti’s National Office for Migration (ONM) acknowledged that they lack the funds and supplies to adequately reintegrate TPS recipients and that ONM currently does not have capacity to welcome additional Haitian nationals from any country.\textsuperscript{96}

The ongoing challenges faced by Haitians on the ground are serious for any individual, much less repatriated nationals who are particularly vulnerable given their long absence from the country. As observed by Archbishop Wensi: “Coming back here is the end of hope. Only very few people can make the transition back.”\textsuperscript{97} Without significantly improved capacity for reintegration and given the existing demands that the migration crisis at the border has placed on the already limited resources to provide accompaniment to returnees, former TPS holders would not be able to be safely returned.

D. Termination of TPS would undermine Haiti’s future progress and threaten the country’s already weak economy during this period of ongoing recovery.

While Haiti is in the midst of recovery, it would be premature and detrimental to the country’s redevelopment to return TPS holders to Haiti. As noted by Haiti’s Minister of Foreign Affairs, terminating TPS for Haiti while it still faces difficult challenges from the natural disasters would tax its overburdened institutions and economy.\textsuperscript{98} In fact, on October 4, 2017, the Haitian government officially requested an 18-month extension of TPS, noting that the extension was necessary “to ensure that Haiti is able to adequately move forward with its recovery and redevelopment plan and will not have to rely, over the long term, on the United States for temporary residence for its citizens.”\textsuperscript{99}

If TPS is terminated, the loss of remittances alone would deal a devastating blow to Haiti’s fragile economy. Reports indicate that remittances from the Haitian diaspora increased steadily between 2013 and 2015; in 2015, remittances accounted for 22.7 percent of Haiti’s GDP,\textsuperscript{100} with over half of total remittances being sent by Haitians in the U.S.\textsuperscript{101} The delegation learned that currently the diaspora sends an estimated $2 billion in remittances, which accounts for an estimated 25 percent of Haiti’s GDP. These remittances are used by families in Haiti to pay for basic necessities, such as food, education costs for children, and necessary home repairs. As noted by the Special Advisor to President Moïse, even 1,000 Haitians not sending remittances is a big deal to the country.\textsuperscript{102} Consequently, the loss of remittances from the 50,000 individuals currently with TPS would be devastating – not only to those returned but also to their extended families, their communities, and the nation’s economy as a whole. As stated by Father Lissaint of JMS, those with TPS “help the country to survive.”\textsuperscript{103}

Haitian government officials and certain civil society actors...
also expressed concern to the delegation that a termination of TPS could have larger regional impacts. The Minister of Foreign Affairs noted that a termination may be used by other countries to justify increased return of Haitian nationals. While the international organizations expressed some skepticism, this concern was echoed by President Moïse’s advisors and JMS.

E. Return of Haitian TPS holders would have negative implications for U.S. citizen children.

Terminating TPS for Haitians would also contribute to family separation and undue hardship for U.S. citizen children. Over 27,000 U.S. citizen children have been born to Haitian TPS recipients. If TPS is terminated, these mixed-status families will have a heartbreaking decision to make—to uproot their children from their homes and the only country they have ever known or face family separation. As an additional concern, if TPS recipients are returned before Haiti can accommodate them, it is unlikely that they will be able to adequately provide for their families.

Rather than separate, some families may return to Haiti together. Many of the U.S. citizen children returning to Haiti with their parents would suffer acute integration needs in a country without resources to handle such. IOM confirmed that they had witnessed minors returning who had not lived in Haiti and noted their concerns with the children’s ability to integrate. In addition to societal and cultural norms to which they may not be accustomed, these children will not necessarily speak Creole. As noted above, some TPS recipients fear that their U.S. citizen children will be targets for kidnapping upon their return.

The limitations of the educational system, particularly after the natural disasters, also presents a concern. With the number of schools still requiring reconstruction, U.S. citizen children would suffer an extreme setback if TPS is prematurely terminated. Additionally, the delegation was informed that in Haiti, “public schools are few and far in between.” In fact, 85 percent of schools are private, with the vast majority of these being non-accredited by the government. And given the limited access and deficiencies with the public school system, even the very poor rely on private schools. Unfortunately, neither the private nor public schools demonstrate high levels of scholastic success. The delegation was informed that over 80 percent of students fail the required aptitude test at the end of their secondary education due to language difficulties. Compounding these challenges is the fact that there are very few English schools.

Consequently, without proper planning and programs in place, U.S. citizen children will face significant integration challenges, threats to their wellbeing, and barriers to future success.

IV. RECOMMENDATIONS

To the United States Government:

A. The Administration should extend TPS for Haiti for a period of 18 months. This extension is appropriate because, consistent with the statutory requirements, Haiti continues to suffer from extraordinary and temporary conditions which prevent its nationals safe return. As was the case a mere six months ago, extending TPS for Haitians is not contrary to the interests of the United States. Rather, extending TPS will promote regional stability as Haiti can continue to build on the progress it has made towards recovery, remittances can continue to facilitate growth, and the government can focus on mitigating the ongoing migration crisis at its border with the Dominican Republic. In addition, extending TPS will help prevent further irregular re-migration of these individuals to the U.S. and other countries. It will also prevent an unnecessary expansion in the undocumented population in the U.S.

B. Congress should pass a legislative solution providing continued lawful status for those TPS recipients who have been provided protection in the United States for at least five years. These individuals have personal equities that are closely associated with U.S. interests, such as U.S. citizen children, businesses, careers, and homes mortgages. As a result, Congressional lawmakers need to work in a bipartisan manner to address long-term TPS recipients. Legislative solutions may include one-time relief for long-term TPS recipients, “protected status suspension” for persons in danger if returned to their country of origin, or adjustment of status for current TPS recipients who would be otherwise eligible for an immigrant visa and are admissible to the United States for permanent residence.

C. The U.S. Embassy in Haiti should begin working on a plan to accommodate a potential influx of U.S. citizen children. While it is appropriate and necessary to extend TPS at this time, we also recommend that the U.S. Embassy in Haiti begin to develop plans for the eventual termination of TPS. Given the large number of U.S. citizen children that may return to Haiti with their parents, integration services will be essential. Necessary services would include, at a minimum, language development and cultural orientation classes. The U.S. Embassy should also work with the Government of Haiti to prepare for and support the educational needs of this population, as well as support skills training and start-up small business grants for these youth.

To the Haitian Government:

A. The Haitian government must develop improved and expanded programs to address protection and integration needs of returnees. These services are essential to ensuring that nationals can be safely repatriated and to prevent forced re-migration. While there are immediate program needs at the border, such services would also help prepare Haiti to safely accommodate the eventual return of TPS recipients. These services should include, in part, issuance of documents for stateless individuals, expanded and sustained social services, as well as cash and housing assistance. In addition, improved
and long-term data collection is needed to determine the rate and success of sustained integration for these individuals.

B. **The Haitian government should, in collaboration with the international community and civil society, continue to address root causes of forced migration.** This must include renewed efforts to revitalize Haiti’s economy (particularly in the tourism, agricultural, and textile industries), increase food security, improve the public education system, and expand employment opportunities for youth.

C. **The Haitian government should increase investment in its healthcare system and develop adequate water and sanitation infrastructure.** In addition to promoting the health of those in-country, this investment will be necessary to promote the health of repatriated individuals, a population which will include the young, ill, and elderly individuals.

To International Organizations and Civil Society:

A. **International organizations should robustly fund agencies working to support reception at the Haiti-Dominican Republic border.** Given the magnitude of the crisis at the border, additional resources are needed to adequately support return of individuals from the Dominican Republic. Mitigating this crisis will also help place Haiti in a better position to handle the eventual return of TPS recipients.

B. **International organizations and civil society should renew efforts to coordinate with ONM on expanded and sustained reintegration services.** Efforts should include funding to ensure individuals can return to their communities of origin, provide for immediate health and hygiene needs, and establish long-term reintegration services and data collection processes. In addition, organizations should partner with ONM to help build its capacity and expertise to provide these services.

C. **The UN and public health civil society should work together to robustly fund and implement cholera response efforts.** While the number of individuals being infected with cholera has decreased in 2017, continued efforts are needed to halt the epidemic in Haiti. International organizations and civil society actors should work together to continue cholera-prevention efforts such as vaccination campaigns. Additionally, actors should work with the Government of Haiti to identify gaps in access to cholera treatment and care.

V. CONCLUSION

Haiti is in no position to accommodate the return of the estimated 50,000 Haitians who have received TPS. Doing so would potentially destabilize the small nation, derail its path to recovery, and possibly harm those returned, particularly the uprooted children. In addition, terminating TPS would needlessly create a large unauthorized Haitian population in the U.S. and contribute to unauthorized re-migration.

We urge the Administration to provide an 18-month extension of TPS for Haiti. This will allow the country to build upon the progress it has made towards recovery and help ensure individuals’ return and reintegration can be safely accomplished. An extension of TPS will allow Haitians to continue to legally work, contribute to our communities in an authorized capacity, and live with dignity. In addition, it will help facilitate Haiti’s long-term reconstruction by allowing the diaspora to continue to send home remittances to help the country rebuild.

We ask the Administration to show compassion and patience during Haiti’s ongoing path to recovery. We look forward to working with the Administration, Congress, and others to help ensure TPS recipients and their families are provided the protection and support they need while Haiti rebuilds.

VI. ACKNOWLEDGEMENTS

USCCB/MRS thanks the following offices and organizations for meeting with our delegation. A special thanks to Christopher Bessey, Country Representative for CRS – Haiti; Cassandra Bissainthe, Partnership and Church Capacity Strengthening Manager for CRS-Haiti; and Father Luca Caveada of the Apostolic Nunciature of the Holy See in Haiti for all of their support.

Apostolic Nunciature of the Holy See in Haiti
Caritas - Haiti
Catholic Legal Services, Archdiocese of Miami, Inc.
Catholic Relief Services – Haiti
Diocese of Jacmel, Haiti
Haitian Embassy in the United States
European Union
International Organization for Migration
Jesuit Migration Service
Ministry of Foreign Affairs
Office of President Jovenel Moïse
United Nations Development Program
United Nations High Commissioner for Refugees
United Nations Stabilization Mission in Haiti (MINUSTAH)
U.S. Embassy in Haiti

ENDNOTES
* Name changed to protect the identity of the individual.


2 8 U.S.C. § 1254a(b)(1) (stating that a country may be designated for TPS only if:

   "(A) the Attorney General finds that there is an ongoing armed conflict within the state and, due to such conflict, requiring the return of aliens who are nationals of that state to that state (or to the part of the state) would pose a serious threat to their personal safety;

   (B) the Attorney General finds that—

   (i) there has been an earthquake, flood, drought, epidemic, or other environmental disaster in the state resulting in a substantial, but temporary, disruption of living conditions in the area affected,

   (ii) the foreign state is unable, temporarily, to handle adequately the return to the state of aliens who are nationals of the state, and

   (iii) the foreign state officially has requested designation under this subparagraph; or

   (C) the Attorney General finds that there exist extraordinary and temporary conditions in the foreign state that prevent aliens who are nationals of the state from returning to the state in safety, unless the Attorney General finds that permitting the aliens to remain temporarily in the United States is contrary to the national interest of the United States.").


4 Donald Kerwin and Robert Warren, A Statistical and Demographic Profile of the U.S. Temporary Protected Status Populations from El Salvador, Honduras, and Haiti, 5 JOURNAL ON MIGRATION AND HUMAN SECURITY 577, 582 (2017).


6 Id.

7 8 U.S.C. § 1254a(b)(3).

8 Deut. 10:17-19.

9 Mt. 25:35.

10 His Holiness Pope Pius XII, Exsur Familia (September 1952).


16 *Id.* at 3,477.


20 *Id.*

21 76 Fed. Reg. 29,000 at 29,001.

22 *Id.*


24 *Id.* at 23,831.


26 Meeting with United Nations Development Program (UNDP) Senior Country Director Yvonne Helle, Delegation Trip Notes 7 (September 2017) (on file with USCCB/MRS).


29 Meeting with EU Political Counselor Matt Woods, Delegation Trip Notes, 12 (September 2017) (on file with USCCB/MRS).

30 *Id.* at 13.


32 Meeting with Pierre Antoine Louis, Special Advisor to President Moïse and Wilson Laleau, Chief of Staff et al., Delegation Trip Notes 10 (September 2017) (on file with USCCB/MRS).

33 *Id.*


35 Discussion with Archbishop Wenski, Delegation Trip Notes 2 (September 2017) (on file with USCCB/MRS).


37 Meeting with Yvonne Helle, *supra* note 26 at 7.


39 Meeting with Pierre Antoine Louis and Wilson Laleau et al., *supra* note 32 at 11.


43 Ambassador Altidor, supra note 17.

44 Meeting with Matt Woods, supra note 29 at 13.

45 Meeting with Pierre Antoine Louis and Wilson Laleau et al., supra note 32 at 11.


48 Id. at 4.

49 Meeting with Yvonne Helle, supra note 26 at 7.


51 Meeting with UNHCR Head of Mission Roland-Francis Weil and MINUSTAH Director Sandra Honoré, Delegation Trip Notes 6 (September 2017) (on file with USCCB/MRS).

52 Id.

53 Meeting with Yvonne Helle, supra note 26 at 6; accord Meeting with Matt Woods, supra note 29 at 13.


55 Meeting with Matt Woods, supra note 29 at 13-14.

56 Meeting with Foreign Minister Antonio Rodrigue, Delegation Trip Notes, 2 (September 2017) (on file with USCCB/MRS).

57 Ambassador Altidor, supra note 17.


59 Haiti: Overview, supra note 13; Hurricane Matthew Three Months On, supra note 41.


62 Haiti: Overview, supra note 13.

63 Government of Haiti, Evaluation des Besoins post Catastrophe pour le Cyclone Mathieu, supra note 60.


66 Meeting with Pierre Antoine Louis and Wilson Laleau et al., supra note 32 at 10.

67 Id.

68 UN OCHA, Haiti: Humanitarian Snapshot, supra note 46.

69 Meeting with Yvonne Helle, supra note 26 at 6.


72 UN OCHA, Haiti: Hurricane Irma, supra note 70.

73 Catholic Relief Service, supra note 71, at 2.


75 Catholic Relief Service, supra note 71, at 3.


78 Government of Haiti, Ouragan Maria: Rapport de Situation #23 (Sept. 26, 2017).

79 Id. at 4.


81 There are four official border points (Anse-à-Pitres, Malpasse, Belladère, and Ouanaminthe) and 175 unofficial border points. Discussion with Cassandra Bissiante, supra note 65 at 1; Meeting with Father Lissainthe of the Jesuit Migration Service (JMS), Delegation Trip Notes 8 (September 2017) (on file with USCCB/MRS).

82 Meeting with Roland-Francis Weil and Sandra Honoré, supra note 51 at 3.

83 Meeting with Pierre Antoine Louis and Wilson Laleau et al., supra note 32 at 11.

84 Meeting with Roland-Francis Weil and Sandra Honoré, supra note 51 at 4-5.

85 UN Humanitarian Country Team, supra note 14 at 9.

86 Meeting with Yvonne Helle, supra note 26 at 7.

87 Meeting with Roland-Francis Weil and Sandra Honoré, supra note 51 at 3.

88 Meeting with Matt Woods, supra note 29 at 13.

89 Meeting with Father Lissainthe, supra note 81 at 9.

90 Meeting with Yvonne Helle, supra note 26 at 7.

91 Meeting with Antonio Rodrigue, supra note 56 at 2.

92 Id.

93 Id.


95 Meeting with IOM Chargée de Protection Mariana Rendon, Delegation Trip Notes 15 (September 2017) (on file with USCCB/MRS).

96 Email with Adelson Lorgeat of ONM (Oct. 18, 2017) (on file with author).

97 Discussion with Archbishop Wenski, supra note 35 at 9.

98 Meeting with Antonio Rodrigue, supra note 56 at 2.

99 Ambassador Altidor, supra note 17.


102 Meeting with Pierre Antoine Louis and Wilson Laleau et al., supra note 32 at 10.
103 Meeting with Father Lissainthe, supra note 81 at 8.

104 Meeting with Antonio Rodrigue, supra note 56 at 2.

105 Meeting with Pierre Antoine Louis and Wilson Laleau et al., supra note 32 at 10; Meeting with Father Lissainthe, supra note 81 at 9.

106 Donald Kerwin and Robert Warren, supra note 4 at 582.

107 Meeting with Mariana Rendon, supra note 95 at 14.

108 Discussion with Cassandra Bissainthe, supra note 65 at 1.


110 Meeting with Roland-Francis Weil and Sandra Honoré, supra note 51 at 5.
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<td>To:</td>
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<td>Subject:</td>
<td>RE: TPS media call next week</td>
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Do you have the Francis memos?

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Hey! Know you have had a crazy day so hate to bug you. I am writing Jonathan’s script for the Haiti media call next week. Could someone on your team provide an outline of info as1 considered when making her decision as well as conditions in country?

Doesn’t need to be in complete sentences, if you have the info I can put together the script.

Thanks!
Clear without comments for LATAM-C.

Thanks,

Jill
From: Lansing, Christyn
Sent: Monday, November 20, 2017 4:49 PM
To: Petyo, Briana
Cc: Claffey, Lauren
Subject: RE: TPS media call next week

Do you have the DOS memo on Haiti? Thank you!

From: Petyo, Briana
Sent: Friday, November 17, 2017 6:44 PM
To: Lansing, Christyn <christyn.lansing@hq.dhs.gov>
Subject: RE: TPS media call next week

I do not

From: Petyo, Briana
Sent: Friday, November 17, 2017 5:15:26 PM
To: Lansing, Christyn
Subject: RE: TPS media call next week

Do you have the Francis memos?

From: Lansing, Christyn
Sent: Friday, November 17, 2017 4:00:35 PM
Based on all available information, the Acting Secretary determined that the extraordinary and temporary conditions that formed the basis of Haiti’s TPS designation as a result of the 2010 earthquake no longer exist, and thus, pursuant to statute, the current TPS designation should not be extended.

DHS is committed to an orderly transition that will allow time for Haiti to prepare for the return and reintegration of its citizens.

**Info we considered, conditions on the ground**

**DHS actions**

- I’d like to briefly discuss DHS outreach to the Haitian community and outside partners.
- In 2017 alone, U.S. Citizenship and Immigration Services conducted dozens of outreach meetings in Haitian communities throughout the country. The outreach includes but is not limited to: community forums on TPS, panel discussions with Haitian community organizers, stakeholder teleconferences, regular meetings with TPS beneficiaries, news releases to the Haitian community, meetings with Haitian government officials, meetings at local churches, and listening sessions.
- Additionally, USCIS took actions to remind Haitian TPS beneficiaries of the need to prepare for their departure in the event Haiti’s designation is terminated. These actions include providing instruction on obtaining nationality/travel documents individually to re-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 nationality/travel documents on live Haitian radio shows in certain localities with a large Haitian diaspora.
- DHS regularly and proactively communicated with members of Congress regarding the TPS designation for Haiti, including secretary-level meetings with members of Congress, secretary-level correspondence with members of Congress, and regular staff meetings and updates.

**Wrap-Up**

- With that, we’d be happy to take a few questions.

###

Christyn Lansing
Office of Public Affairs
U.S. Department of Homeland Security
202-447-3754
Thx
From: Claffey, Lauren <b@b.com>

To: "Petyo, Briana <b@b.com>"

Subject: Haiti TPS

Date: 2017/11/20 17:43:16

Importance: High

Priority: Urgent

Type: Note

Making sure you have this so Ambassador Nealon can make any calls he needs to make

Lauren E. Claffey
Deputy Assistant Secretary
Office of Public Affairs
U.S. Department of Homeland Security

Sender: Claffey, Lauren <b@b.com>

Recipient: "Petyo, Briana <b@b.com>"

Sent Date: 2017/11/20 17:43:15

Delivered Date: 2017/11/20 17:43:16
Public Affairs Guidance
Temporary Protected Status: Haiti

CONTENTS:
- Overview
- Background and Topline Messaging
- Rollout Timeline
- Products Timeline
- Press Release (external)
- Website copy (USCIS)
- RTQs (internal)

OVERVIEW

| OFFICIAL NOTIFICATIONS | • Foreign governments (State)  
|                         | • Embassy (DHS)  
|                         | • Hill (DHS OLA)  |
| EXTERNAL OUTREACH       | • Religious organizations/ Stakeholder groups (DHS OPE)  |
| PRODUCTS                | • Press Release (DHS)  
|                         | • Website copy (USCIS)  
|                         | • Responses to Queries (DHS/State)  |

TOPLINE MESSAGING AND BACKGROUND

TOPLINE MESSAGING:
- After considering information from a wide variety of sources, Acting Secretary Duke has decided to terminate the Temporary Protected Status for Haiti, with a delay of 18 months to allow for an orderly transition before the designation terminates on July 22, 2019.
- DHS is committed to an orderly transition that will allow time for Haiti to prepare for the return and reintegration of its citizens. USCIS will work with the State Department and the government of Haiti to help educate relevant stakeholders in-country and ensure an orderly return and reintegration of its citizens.
• Temporary Protected Status was not intended to provide a long-term solution or permanent legal status for foreign nationals in the United States.

• Only Congress can legislate a permanent solution addressing the lack of lawful immigration status of those currently protected by TPS who have lived and worked in the United States for many years.

BACKGROUND:

Haiti

• Acting Secretary of Homeland Security Elaine Duke announced on Monday, November 20th her decision to terminate the Temporary Protected Status (TPS) designation for Haiti with a delayed effective date 18 months from the current January 22, 2018 date of expiration. The TPS designation for Haiti will terminate on July 22, 2019.

• The 18-month delayed effective date will allow for an orderly transition and provide time for TPS beneficiaries to seek an alternative lawful immigration status in the United States, if eligible, or, if necessary, arrange for their departure. It will also provide time for Haiti to prepare for the return and reintegration of its citizens.

• The decision to terminate TPS for Haiti was made after an inter-agency review process that considered country conditions and the ability of the country to receive returning citizens. The Acting Secretary undertook an extensive outreach campaign to U.S. state and federal government officials, Haitian officials, and third party partners who offered their input as to the conditions on the ground in Haiti.

• Based on all available information, the Acting Secretary determined that the extraordinary and temporary conditions that formed the basis of Haiti’s TPS designation as a result of the 2010 earthquake no longer exist, and thus, pursuant to statute, the current TPS designation should not be extended.

• The Department will seek cooperation from Haiti to support the re-integration of their nationals upon termination of their designation, and will encourage TPS beneficiaries to prepare for their return and request appropriate travel documents.

• In 2017 alone, U.S. Citizenship and Immigration Services conducted dozens of outreach meetings in Haitian communities throughout the country. The outreach includes but is not limited to: community forums on TPS, panel discussions with Haitian community organizers, stakeholder teleconferences, regular meetings with TPS beneficiaries, news releases to the Haitian community, luncheons with Haitian government officials, meetings at local churches, and listening sessions.

• Additionally, USCIS took actions to remind Haitian TPS beneficiaries of the need to prepare for their departure in the event Haiti’s designation is terminated. These actions include providing instruction on obtaining nationality/travel documents individually to re-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 nationality/travel documents on live Haitian radio shows in certain localities with a large Haitian diaspora.

- DHS regularly and proactively communicated with members of Congress regarding the TPS designation for Haiti. These communications include, but are not limited to, secretary-level meetings with members of Congress, secretary-level correspondence with members of Congress, and regular staff meetings and updates.

- In May 2017, then-Secretary Kelly announced his limited extension of Haiti’s designation for TPS, stating:
  
  o “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. 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. 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.”

- Former Secretary Kelly requested that the government of Haiti take steps to prepare for the eventual end of its TPS designation. Haiti has taken actions including establishing working groups, conducting outreach to diaspora leaders, providing legal assistance to Haitian nationals, acquiring new equipment to produce travel documents, and focusing on development programs.

**Temporary Protected Status (TPS)**

- Under the Immigration and Nationality Act (INA), the Secretary of Homeland Security, after consultation with appropriate U.S. Government agencies, may designate a foreign country (or any part of such foreign country) for TPS if the conditions in the foreign country fall into one, or more, of three statutory categories, generally described as (1) ongoing armed conflict, (2) environmental disasters, or (3) extraordinary and temporary conditions.
• Currently, there are 10 countries designated for TPS. The countries are South Sudan, Sudan, Somalia, Honduras, Nicaragua, El Salvador, Syria, Haiti, Nepal and Yemen. TPS for Sudan terminates on November 2, 2018, and TPS for Nicaragua terminates on January 5, 2019.

• Haiti was originally designated for TPS on January 21, 2010, due to the devastation caused by a magnitude 7.0 earthquake that struck Haiti on January 10, 2010. Then-Secretary Napolitano extended the existing designation and re-designated Haiti for TPS on May 19, 2011.

• Approximately 59,000 persons are beneficiaries under TPS for Haiti.
  o Of those, more than 16,000 have either filed for or been granted lawful permanent resident status since being granted TPS.
  o To allow for an orderly transition, the effective date of Haiti’s TPS termination will be delayed 18 months. This will provide time for individuals with TPS who will not have another lawful immigration status upon termination to seek an alternative status or arrange for their departure

• TPS is a temporary benefit that does not lead to lawful permanent resident status or give any other immigration status. Persons with TPS may seek an alternative lawful immigration status for which they are independently eligible.

• TPS beneficiaries are eligible to work in the United States during the term of their TPS status.

• Upon termination, TPS beneficiaries revert back to the immigration status they had prior to receiving TPS, unless that prior immigration status has since expired.

**Audiences:**
• Congress
• DC/national media
• American public

**Key Milestones:**

<table>
<thead>
<tr>
<th>Country</th>
<th>Current Designation Expiration date</th>
<th>60-day decision deadline</th>
<th>Termination Date</th>
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<tr>
<td>Haiti</td>
<td>Jan 22, 2018</td>
<td>Nov 23, 2017</td>
<td>July 22, 2019</td>
</tr>
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**SMEs available to brief media interviews:**
• Jonathan Hoffman, DHS Assistant Secretary for Public Affairs
• Don Neufeld, Associate Director of Service Center Operations, USCIS
ROLLOUT TIMELINE

November 20, 2017

1730 – DHS notifies the State Department of the decision & shares a draft press release to start translation process

1730 – State Department notifications to Charge D’affaires to Haiti

1730 – U.S. Embassy notification to Haitian government in-country

1730 – DHS notification to Haitian embassy in Washington, DC.

1800 – OPE notifies Florida Governor Scott, Massachusetts Governor Baker (only to be notified once GOH notifications have been completed)

1800 – Hill notifications (only to be notified once GOH notifications have been completed)

- DHS OLA notifies the Homeland Security, Judiciary, Foreign Affairs/Relations and Appropriations committees
- DASs contact key leadership staffers for the committees

1800 – State Department notification to Canadian government (only to be notified once GOH notifications have been completed)

1900 – Background call with media (Call to be in English and include invites to both domestic and foreign press.)

1930 (when call ends) – Send press release (DHS)

- DHS posts press release to website.
- USCIS publishes alert to relevant pages on USCIS website with link to DHS news release

1945 hours – DHS Stakeholder Outreach

Upon transmittal of FRN

USCIS distributes news release with technical information on reregistration process; separate timeline for subsequent process, including website updates and further notifications, will be shared as further details are available.

Press Release
WASHINGTON—Today, Acting Secretary of Homeland Security Elaine Duke announced her decision to terminate the Temporary Protected Status (TPS) designation for Haiti with a delayed effective date of 18 months to allow for an orderly transition before the designation terminates on July 22, 2019. This decision follows then-Secretary Kelly’s announcement in May 2017 that Haiti had made considerable progress, and that the country’s designation will likely not be extended past six months.

The decision to terminate TPS for Haiti was made after a review of the conditions upon which the country’s original designation were based and whether those extraordinary but temporary conditions prevented Haiti from adequately handling the return of their nationals, as required by statute. Based on all available information, including recommendations received as part of an inter-agency consultation process, Acting Secretary Duke determined that those extraordinary but temporary conditions caused by the 2010 earthquake no longer exist. Thus, under the applicable statute, the current TPS designation must be terminated.

Acting Secretary Duke met with Haitian Foreign Minister Antonio Rodrigue and Haitian Ambassador to the United States Paul Altidor recently in Washington to discuss the issue.

In 2017 alone, U.S. Citizenship and Immigration Services conducted extensive outreach to the Haitian communities throughout the country. These include but are not limited to community forums on TPS, panel discussions with Haitian community organizers, stakeholder teleconferences, regular meetings with TPS beneficiaries, news releases to the Haitian community, meetings with Haitian government officials, meetings at local churches, and listening sessions.

Since the 2010 earthquake, the number of displaced people in Haiti has decreased by 97 percent. Significant steps have been taken to improve the stability and quality of life for Haitian citizens, and Haiti is able to safely receive traditional levels of returned citizens. Haiti has also demonstrated a commitment to adequately prepare for when the country’s TPS designation is terminated.

In May 2017, then-Secretary Kelly announced a limited extension for Haiti’s TPS designation, stating that he believed there were indications that Haiti – if its recovery from the 2010 earthquake continued at pace – may not warrant further TPS extension past January 2018. At the time, then-Secretary Kelly stated that his six-month extension should give 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.
To allow for an orderly transition, the effective date of the termination of TPS for Haiti will be delayed 18 months. This will provide time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States, if eligible. It will also provide time for Haiti to prepare for the return and readjustment of their citizens. During this timeframe, USCIS will work with the State Department, other DHS components and the Government of Haiti to help educate relevant stakeholders and facilitate an orderly transition.

Haitians with TPS will be required to reapply for Employment Authorization Documents in order to legally work in the United States until the end of the respective termination or extension periods. Further details about this termination for TPS will appear in a Federal Register notice.

###

## Website Copy

USCIS has a [TPS homepage](#) and country-specific pages. USCIS will update Haiti’s page depending on the decisions.

## FAQs

USCIS outlines the changes to TPS on the country-specific page. If additional information is necessary we can create a new accordion files as needed. We normally adjust these based on questions we receive from the public. We will not post a list of FAQs to the site. We will use FAQs to create responses to customer calls at our help center and for any planned stakeholder events.

## Responses to Queries (RTQ)

**Q: Why is TPS for Haiti not being extended?**  
A: The decision to terminate TPS for Haiti was made after a review of the conditions upon which the country’s original designation were based and whether those extraordinary but temporary conditions prevented Haiti from adequately handling the return of their nationals, as required by statute. Based on all available information, including recommendations received as part of an inter-agency consultation process, Acting Secretary Duke determined that those extraordinary but temporary conditions caused by the 2010 earthquake no longer exist. Thus, under the applicable statute, the current TPS designation must be terminated.

**Q: How many people will be affected?**  
A: There are approximately 59,000 Haitian TPS beneficiaries.

**Q: What is DHS doing to ensure an orderly transition?**  
A. USCIS will work with the State Department and the Government of Haiti to help educate relevant stakeholders in-country and ensure an orderly process.
Q: How is this decision being communicated to people who have been approved by the program? What information are they receiving?
A: Detailed information about the Acting Secretary’s decisions will be provided in Federal Register notices that will be published soon. Additional information is available on USCIS’ website at www.uscis.gov/tps. The Department of State has also coordinated informing the government of Haiti. The Acting Secretary has instructed the Director of U.S. Citizenship and Immigration Services, the Acting Assistant Secretary of the Office of Partnership and Engagement, the Ombudsman for Citizenship and Immigration Services and the Officer for Civil Rights and Civil Liberties to ensure that those affected by the cessation of TPS—individuals, families, employers and other stakeholders—clearly understand the timing and effects of the TPS termination on legal status and the ability to work in the United States. In addition to materials posted online, these DHS components will participate in outreach activities such as teleconferences, town halls and roundtables in coming months to ensure that affected populations have a full and accurate understanding of their rights and obligations.

Q: What will happen for the people who have U.S. citizen children and spouses? Do they have other avenues for relief?
A: Upon termination of TPS, individuals will revert to the immigration status they had before being granted TPS, unless that prior status has since expired. Those who have no other status may apply or be petitioned for any other immigration benefits for which they may be independently eligible. USCIS will consider these on a case by case basis.

Q: Will DHS prioritize them for deportation?
A: The Administration’s immigration enforcement priorities have been clearly articulated. DHS will continue to focus on criminal aliens, those with final orders of removal, and those who otherwise pose a threat to public safety and/or national security. However, DHS will not exempt entire categories or classes of people from potential immigration enforcement actions.

Q: Are there any other meaningful routes of relief for these individuals?
A: Those who have no other status may apply for any other immigration classification for which they may be independently eligible.

Q: Are there any ways for TPS holders to adjust status?
A: TPS is a temporary benefit that does not lead to lawful permanent residence or confer any other immigration status. TPS holders may apply for any other immigration benefits for which they may be independently eligible. Congress intended for the program to be temporary and was very clear that any attempt to legalize this population would require a super majority vote in the U.S. Senate.

Q: Can you elaborate on which country conditions have improved since the last time you extended TPS for Haiti?
A: Haiti has made progress across several fronts since the devastating earthquake in 2010. The Haitian economy continues to recover and grow, and 97 percent of people displaced by the earthquake and living in internally displaced person camps have left those camps. Ninety-eight percent of the displacement camps established after the 2010 earthquake have closed. In October,
the United Nations ended their mission in Haiti saying that the mission had achieved its goals and should conclude.

Q: When can we expect a decision on TPS for El Salvador? Should this decision be viewed as an indicator of the likely outcome for those countries?
A: At least 60 days before the expiration of a TPS designation, the Secretary, after consultations with appropriate agencies of the U.S. government, must review the conditions in a foreign State designated for TPS to determine whether the conditions for the TPS designation continue to be met and, if so, the length of an extension of the TPS designation. El Salvador’s designation expires March 9, 2018. The Acting Secretary will evaluate each country’s designation independently in making her determination, fully re-evaluating the country conditions in each to determine whether each country’s TPS designation should continue.

Q: When was Haiti originally designated for TPS and for what reasons?
A: Haiti was originally designated for TPS in 2010 after the earthquake there. Haiti was subsequently redesignated for TPS in 2011, again based on conditions related to and following the 2010 earthquake.

Q: How many times have you terminated TPS for other countries?
A: The following countries have had TPS designations terminated: Angola, Bosnia & Herzegovina, Burundi, El Salvador (expired in 1992 per statute and newly designated in 2001), Guinea, Guinea-Bissau, Kosovo Province, Kuwait, Lebanon, Liberia, Montserrat, Rwanda, and Sierra Leone. In addition, in September 2017, DHS announced that TPS for Sudan will terminate on November 2, 2018, and in November 2017 announced TPS for Nicaragua will terminate on January 5, 2019. TPS is inherently a temporary program and intended to terminate when conditions warrant it.

Q: Was the government of Haiti consulted?
A: The decision to terminate TPS for Haiti was made after an inter-agency review process that considered in-country conditions and the ability of the country to receive its returning citizens. This process included multiple meetings with the Haitian government, including between the foreign minister and Vice President Pence and former Secretary Kelly in May and between the foreign minister and Acting Secretary Duke in the past weeks.

Q: Were crime and public benefits data used to make the decision?
A: The decision was based on whether Haiti met the statutory conditions for TPS.

Q: Did the Acting Secretary take into consideration the input from governors, mayors, members of Congress and religious leaders?
A: In making this decision, the Acting Secretary took into consideration all the appropriate information provided by U.S. government agencies and other stakeholders which provided insight into the current situation in Haiti. This included conversations with local and state officials, as well as members of Congress. The Acting Secretary based her decision on the statutory requirement to examine the conditions on the ground in Haiti.

Q: In recent years, how many nationals has Haiti taken back due to ICE removals?
A. In recent years, Haiti has taken back hundreds of their nationals annually as a result of ICE removals.

STATE DEPARTMENT RTQs

Q. What was the State Department’s recommendation to DHS? Did other U.S. agencies weigh in on the process?
A. DHS consulted with the Department of State in determining whether the conditions for the TPS designation continue to be met. We do not discuss internal and interagency deliberations.

Q. Did the White House or any other U.S. agency weigh in on the process?
A. We do not discuss internal and interagency deliberations.

Q. How is this decision being communicated to the governments?
A. The U.S. Government communicated DHS’s decision via diplomatic channels.

Q. What is the impact of the decision on Canada? Do you expect individuals losing TPS status will head to the northern border to claim asylum? Have you coordinated your decision with the Canadian government?
A. I won’t speculate on how this decision will or will not affect Canada. The Canadian government was notified via diplomatic channels of our intention to terminate TPS for Haiti. We maintain regular contact with our Canadian counterparts at various levels on these issues.

Q. Is the State Department prepared for a surge of routine and emergency American Citizen Services cases for those returning to Haiti with minor American citizen children?
A. Our embassies and consulates overseas stand ready to provide appropriate consular services for U.S. citizens. We encourage parents to apply for a passport for their children born in the United States to document their citizenship and identity. Passports for minors are valid for 5 years, while passports for adults (age 16 and older) are valid for 10 years. For information on applying for a U.S. passport, visit travel.state.gov. U.S. citizen children returning with their parents to Haiti will need to have sufficient documentation to meet local authorities’ requirements for access to education and social services. We will coordinate with the Government of Haiti to better understand what documents might be needed by U.S. citizen children to enroll in local schools, access local health services, or other social services. For more details in the interim, I refer you to the Government of Haiti.

Q. Does the State Department think Haiti can adequately receive and reintegrate TPS beneficiaries and their families?
A. As a part of its review, DHS decided on a delayed effective date of 18 months to permit an orderly transition, both for those returning home and for the country receiving them. The phase-out period will provide time for individuals with TPS to arrange for their departure and for the country to prepare for the reception and reintegration of its citizens.

Q. Did the state of U.S. bilateral relations with Haiti factor into the decision?
A. The DHS decision was based on a review of statutory requirements for TPS designation and country conditions in Haiti, and should not be construed as a reflection of U.S. relations with these countries.

Q. Although conditions in Haiti have changed since the 2010 earthquake, Hurricane Matthew created a new humanitarian emergency. On what basis did the U.S. government not extend TPS under current conditions?
A. This decision was made after a DHS-led inter-agency TPS review process that assessed in-country conditions. For specific questions on the termination of TPS, we refer you to DHS.

Q. Is Haiti prepared to accept repatriation of 58,000 TPS beneficiaries? What could be the potential negative outcome? How would such an outcome affect U.S. national interests?
A. As a part of its review, DHS decided on a delayed effective date of July 22, 2019 to permit an orderly transition, both for those returning home and for the country receiving them. The phase-out period will provide time for individuals with TPS to arrange for their departure and for the country to prepare for the reception and reintegration of its citizens. The U.S. government, through DHS, continues to work with the Government of Haiti to ensure that repatriations occur in the most humane manner possible.

Q. Will the return of more than 58,000 individuals be counterproductive to our efforts in the country?
A. As a longstanding partner of Haiti, the U.S. Government remains committed to the country’s long-term security, democratic development, and economic growth. Continued U.S. assistance will promote good governance, fight poverty by advancing economic development, and safeguard transparent and accountable government institutions. Following two years of political impasse and stalled elections, Haiti has a democratic government in place with an elected president, a confirmed cabinet, and full parliament. We are encouraged by the progress in Haiti, and believe the post-election stability, combined with the efforts of President Moïse’s government to bolster the private sector, will lead to more effective development.

###
Thanks!
Your meeting was forwarded

Petyo, Briana has forwarded your meeting request to additional recipients.

Meeting
Haiti TPS Sync - DHS only

Meeting Time
Occurs every day from 10:00 to 10:30 effective 11/15/2017 until 11/23/2017.

Recipients
Nealon, James

All times listed are in the following time zone: (UTC-05:00) Eastern Time (US &Canada)
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-----Original Appointment-----

From: Claffey, Lauren

Sent: Tuesday, November 14, 2017 5:03 PM

To: Claffey, Lauren; Hoffman, Jonathan; Lansing, Christyn; Houlton, Tyler; Talbot, Joanne; Cassidy, Ben; Dinh, Uyen; Wonnemberg, David; Petyo, Briana; Nealon, James; Barsa, John; Hayden, Matt; Clark, Alaina; Short, Tracy; Shah, Dimple; Wolf, Chad; Neumann, Elizabeth; Alfonso, Angelica M; Christensen, Gillian M

Cc: Phillips, James M; Balunis, Timm; Joh, Joseph

Subject: Haiti TPS Sync - DHS only

When: Occurs every day effective 11/15/2017 until 11/23/2017 from 10:00 AM to 10:30 AM (UTC-05:00) Eastern Time (US &Canada).

Where: (b)(6)
All – please forward to the appropriate members on your team I may have left off. We will be holding a DHS sync call for the Haiti TPS upcoming decision announcement.

Agenda:

- Welcome (Jonathan)

- Status of PAG (USCIS)

- Remaining Meetings (PLCY)

- Remaining Outreach (OPE/OLA)

- Decision Documents Needed (OGC)

- Media Inquiries (OPA - Tyler/Joanne)

- Summary of Action Items (Jonathan)
Dial in

Access Code

Leader Code: 0054440 (Lauren)

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of the Freedom of Information and Privacy Act
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of the Freedom of Information and Privacy Act
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of the Freedom of Information and Privacy Act
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These are cleared to move

Thank you.

No ask for an extension. Especially now we got guidance from AS1 she isn’t making this decision at this time
To: Petyo, Briana  
Subject: RE: Due 9am 11/7 [USCIS Decision Memo] Haiti's Designation for TPS [WF-1153120]

Do you mean Tuesday afternoon?  
ESEC’s due date for us is tomorrow at 9am.  
Just want to clarify/confirm.

From: Petyo, Briana  
Sent: Monday, November 6, 2017 3:00 PM  
To: Plcy Exec Sec  
Subject: RE: Due 9am 11/7 [USCIS Decision Memo] Haiti’s Designation for TPS [WF-1153120]

Can you remind me about this one on Wed afternoon? But based on guidance we got from AS1 today, we don’t need to push this up until much closer to the deadline.

From: on behalf of Plcy Exec Sec  
Sent: Monday, November 6, 2017 2:54:32 PM  
To: Petyo, Briana  
Cc: Plcy Exec Sec  
Subject: Due 9am 11/7 [USCIS Decision Memo] Haiti’s Designation for TPS [WF-1153120]

Good afternoon Briana,

PLCY review is due by 9am 11/7.  
Do you clear for PLCY?

From: Cloe, David  
Sent: Monday, November 6, 2017 1:49 PM  
To: Johnson, Eric; Plcy Exec Sec; Immigration Policy  
Cc: Americas  
Subject: RE: Due 8am 11/7 [USCIS Decision Memo] Haiti’s Designation for TPS [WF-1153120]

No – Nothing further from Americas...
From: Johnson, Eric  
Sent: Monday, November 6, 2017 1:29 PM  
To: Plcy Exec Sec  
Cc: Americas  
Subject: RE: Due 8am 11/7 [USCIS Decision Memo] Haiti’s Designation for TPS [WF-1153120]

PLCY ES,

IMM has reviewed and clears with minor edits to the attachment. We defer to Americas for any additional edits or comments.

Many thanks,
Eric

---

Eric B. Johnson  
DHS Office of Policy

From: On Behalf Of Plcy Exec Sec  
Sent: Monday, November 6, 2017 9:07 AM  
To: Immigration Policy  
Cc: Americas; Plcy Exec Sec  
Subject: Due 8am 11/7 [USCIS Decision Memo] Haiti’s Designation for TPS [WF-1153120]

Good morning IMM PLCY and Americas,

Please review the attached ESEC-tasked Decision Memo and associated incoming and attachments re TPS recommendations and provide comment/clearance by 8am 11/7.

Thank you.

Office of Strategy, Policy, and Plans | ExecSec

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Hey! Know you guys have had meetings all day, but wanted to see if you’ve been able to make any edits to the attached? we updated this with the below background from CIS. Do we have any info on HQ-level engagement? Thank you!

Hey! Attached is our latest Haiti TPS PAG. Could someone on your team please send us any edits?

As an FYI, we are still waiting for CIS to send us their edits.

Thank you!

Christyn Lansing  
Office of Public Affairs  
U.S. Department of Homeland Security
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of the Freedom of Information and Privacy Act
Cleared with edits

From: Forrer, Juan On Behalf Of Plcy Exec Sec
Sent: Tuesday, November 14, 2017 12:11 PM
To: Petyo, Briana
Cc: Plcy Exec Sec
Subject: [Due ASAP] AS1BB - 11.16.17 - Meeting with Senator Nelson, FL- (Due: 11.14.17, 1100)

Briana,

IMM (Johnson) and Americas (St. John) have reviewed the attached OLA-drafted BM for an AS1 meeting with Senator Nelson re: Haiti TPS. I have made minor edits.

Do you clear for PLCY? Your clearance is requested ASAP, as OLAs submission deadline has passed.

Best,

Juan

From: Smith, Ian
Sent: Tuesday, November 14, 2017 11:51 AM
To: Plcy Exec Sec
Cc: Immigration Policy

No worries at all Juan.

Please see our edits/comments attached.

Best,

--Ian

Ian M. Smith
Office of Policy
Department of Homeland Security

DHS-001-659-002201
Ian,

Apologies for the oversight. Materials are attached.

-Juan

From: Smith, Ian
Sent: Tuesday, November 14, 2017 9:57 AM
To: Pcly Exec Sec, Immigration Policy

Thanks Juan. Please attach the referenced materials when you can.

Best,

--Ian

Ian M. Smith
Office of Policy
Department of Homeland Security

From: Forrer, Juan On Behalf Of Pcly Exec Sec
Sent: Tuesday, November 14, 2017 9:53 AM
To: Americas, Immigration Policy
Cc: Pcly Exec Sec

+ IMM for their input as well.

From: Forrer, Juan On Behalf Of Pcly Exec Sec
Sent: Tuesday, November 14, 2017 9:49 AM
To: Americas
Cc: Pcly Exec Sec
Subject: [Tight deadline] AS1BB - 11.16.17 - Meeting with Senator Nelson, FL- (Due: 11.14.17, 1100)

Americas,
Please review the attached OLA-drafted briefing materials for AS1 re: Haiti TPS. OLA has been asked to submit by 11 am today, so providing clearance as soon as possible would be much appreciated.

Thank you.

Best,

Juan Forrer  
Correspondence Analyst  
Office of Policy, Executive Secretariat  
U.S. Department of Homeland Security  

From: [b](CTR)  
Sent: Tuesday, November 14, 2017 9:40 AM  
To: Plcy Exec Sec [b](I&A)  
Exec Sec [b](I&A)  
MGMTExecSec [b](I&A)  
OGC Exec Sec [b](I&A)  

Cc: [b](Balunis, Timm)  
[b](Joh, Joseph)  
[b](Phillips, James M)  

Subject: FW: AS1BB - 11.16.17 - Meeting with Senator Nelson, FL- (Due: 11.14.17, 1100)

Please review and edit for clearance at the soonest.

Thanks,

Best Regards,

Office of Legislative Affairs  
U.S. Department of Homeland Security  
Executive Assistant to the Assistant Secretary of OLA  

From: Balunis, Timm  
Sent: Tuesday, November 14, 2017 9:10 AM  
To: [b]  
Cc: [b](Phillips, James M)  
[b](Joh, Joseph)  

Subject: FW: AS1BB - 11.16.17 - Meeting with Senator Nelson, FL- (Due: 11.14.17, 1100)
Good morning. Re-sending Senator Nelson briefing memorandum, to include original ExecSec tasking below. Request you forward to OGC and PLCY ExecSec for clearance. As Jamie notes, this is due to the Front Office this morning at 11:00. Thanks.

Best Regards,

Timm

Timothy Balunis, Jr.
Coast Guard Fellow
Office of Legislative Affairs
Department of Homeland Security

From: Phillips, James M
Sent: Tuesday, November 14, 2017 9:07 AM
To: Balunis, Timm <b>(6)
Subject: FW: AS1BB - 11.16.17 - Meeting with Senator Nelson, FL- (Due: 11.14.17, 1100)

Timm:

Here’s the tasking info for the Nelson memo.

James M. Phillips
Director | Office of Legislative Affairs
U.S. Department of Homeland Security

From: Balunis, Timm
Sent: Tuesday, November 14, 2017 9:06 AM
To: <b>(6)
Cc: Phillips, James M <b>(6)
Joh, Joseph <b>(6)
Subject: FW: AS1 BM for Meeting with Senator Nelson re Haiti TPS

Good morning. Attached, please find briefing memorandum and background documents/enclosures for
AS1’s meeting with Senator Nelson. Request you forward to OGC and PLCY ExecSec for clearance. As Jamie notes, this is due to the Front Office this morning.

Thanks.

Best Regards,

Timm

Timothy Balunis, Jr.
Coast Guard Fellow
Office of Legislative Affairs
Department of Homeland Security

From: Phillips, James M  
Sent: Tuesday, November 14, 2017 8:46 AM  
To: Balunis, Timm; Joh, Joseph  
Subject: AS1 BM for Meeting with Senator Nelson re Haiti TPS

Timm/Joseph:

Attached is the package for AS1’s meeting with Senator Nelson re: TPS for Haiti, which is scheduled for Thursday. Can you both review it, package it, and ask Gina to send it to OGC and Policy Exec Sec’s for clearance? It’s due this morning to the FO.

Thanks.

Jamie

James M. Phillips  
Director | Office of Legislative Affairs  
U.S. Department of Homeland Security

From: Culwell, Kelbi  
Sent: Monday, November 13, 2017 10:42 AM  
To: Corbin, Susan; Dinh, Uyen; Harper, Jerald; OLA Exec Sec; Phillips, James M; Shaw, Kathleen (CTR); Wonnénnberg, David  
Cc: ESEC-BBIC; MGMTExecSec; Almont, Yohanna; I&A Exec Sec; OGC Exec Sec; Plcy Exec Sec
**Subject:** AS1BB - 11.16.17 - Meeting with Senator Nelson, FL - (Due: 11.14.17, 1100)

All materials must be formatted to comply with the attached templates.

<table>
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<tr>
<th>Event Date</th>
<th>Thursday, 11.16.17 (1430-1500)</th>
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<tr>
<td>Event Name</td>
<td>Meeting with Senator Nelson, FL</td>
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<td>Lead Component</td>
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<tr>
<td>Required Coordination</td>
<td>PLCY, I&amp;A, OGC, MGMT</td>
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<td>Product</td>
<td>Briefing Memo</td>
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<tr>
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<td>Details</td>
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<td>Attendees:</td>
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<td></td>
<td>Acting Secretary</td>
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<td></td>
<td>Chad Wolf</td>
</tr>
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<td></td>
<td>Ben Cassidy</td>
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<td>Location: TBD- Capitol Hill</td>
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<td>Meeting Classification: Please include bullet in background section of briefing memorandum if the meeting or any of the briefing materials are classified. (i.e., “This meeting [or any of the briefing materials] are classified”).</td>
</tr>
<tr>
<td></td>
<td>Please note that all materials being shown to the Secretary must be passed through Exec Sec first. Please do not bring anything to the meeting ES has not seen (classified or unclassified) without prior approval. If a presentation is to be made, Lead Component is responsible for providing an appropriate number of handouts at the meeting. (15 if the meeting takes place in Rm. 5110D; 25 if in Rm. 5107.)</td>
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<td>Due</td>
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*DHS Briefing Book and Interagency Coordination Standards and Procedures* (including links to templates) are located on the DHS intranet at: http://dhsconnect.dhs.gov/ORG/COMP/ESEC/Pages/default.aspx

| Sender          | Petyo, Brian                           |
| Recipient       | Policy Officer Sec                      |
| Sent Date       | 2017/11/14 12:22:56                    |
| Delivered Date  | 2017/11/14 12:22:57                    |

DHS-001-659-002206
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(R)/(5)

of the Freedom of Information and Privacy Act
Withheld pursuant to exemption (R)(5) of the Freedom of Information and Privacy Act
Awesome thanks!

From: Petyo, Briana  
Sent: Wednesday, November 15, 2017 5:13 PM  
To: Lansing, Christyn  
Cc: Claffey, Lauren  
Subject: RE: Haiti PAG

Sorry edits attached

From: Lansing, Christyn  
Sent: Wednesday, November 15, 2017 4:35 PM  
To: Petyo, Briana  
Cc: Claffey, Lauren  
Subject: RE: Haiti PAG

Hey! Know you guys have had meetings all day, but wanted to see if you’ve been able to make any edits to the attached? we updated this with the below background from CIS. Do we have any info on HQ-level engagement? Thank you!

From: Lansing, Christyn  
Sent: Wednesday, November 15, 2017 9:16 AM  
To: Petyo, Briana  
Cc: Claffey, Lauren  
Subject: Haiti PAG
Hey! Attached is our latest Haiti TPS PAG. Could someone on your team please send us any edits?

As an FYI, we are still waiting for CIS to send us their edits.

Thank you!

Christyn Lansing
Office of Public Affairs
U.S. Department of Homeland Security
Edits attached.

**Eric B. Johnson**
DHS Office of Policy

From: Johnson, Eric
Sent: Wednesday, November 15, 2017 4:53 PM
To: Petyo, Briana
Subject: RE: Haiti PAG

Reviewing now. Will have edits.

**Eric B. Johnson**
DHS Office of Policy

From: Petyo, Briana
Sent: Wednesday, November 15, 2017 4:36 PM
To: Johnson, Eric
Subject: FW: Haiti PAG
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of the Freedom of Information and Privacy Act
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(R)(5)
of the Freedom of Information and Privacy Act.
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of the Freedom of Information and Privacy Act
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<td>Subject:</td>
<td>FW: Catholic Health Association letter on TPS for Haiti</td>
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Another one for ESEC:

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<tr>
<th>From:</th>
<th>Jeanne Atkinson</th>
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<tr>
<td>Sent:</td>
<td>Wednesday, November 15, 2017 4:16 PM</td>
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<tr>
<td>To:</td>
<td>Nealon, James; Dougherty, Michael; Jill Marie Bussey</td>
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<td>Cc:</td>
<td>Nealon, James; Dougherty, Michael</td>
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<tr>
<td>Subject:</td>
<td>Catholic Health Association letter on TPS for Haiti</td>
</tr>
</tbody>
</table>

Acting Secretary Duke

Attached please find a letter from the Catholic Health Association, the leadership organization of more than 2000 Catholic health care systems, requesting an 18-month extension of Temporary Protected Status for Haiti.

In addition, I would like to acknowledge Ambassador Nealon and your team for meeting with Bishop DiMarzio of Brooklyn, myself and Jill Bussey from CLINIC, and our colleagues from the Center for Migration Studies, the Sisters of Mercy, and Migration and Refugee Services of USCCB. We appreciated the opportunity to share our experience and expertise concerning TPS for Haitians and engage in an open discussion with your staff.

Thank you for reviewing this letter from the Catholic Health Association.

Regards,

Jeanne
Jeanne M. Atkinson, Esq.
Executive Director
Catholic Legal Immigration Network, Inc. (CLINIC)

<table>
<thead>
<tr>
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<th>Peityo, Briana *(b)(6)</th>
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</table>
Nov. 15, 2017

The Honorable Elaine C. Duke
Acting Secretary of Homeland Security
3801 Nebraska Avenue NW
Washington, D.C. 20016

Dear Acting Secretary Duke:

I am writing to you today on behalf of the Catholic Health Association of the United States (CHA), the national leadership organization of more than 2,000 Catholic health care systems, hospitals, long-term care facilities, sponsors, and related organizations to express our concern about the community of Haitians living in the U.S. and to urge you to approve an 18-month extension of Temporary Protected Status (TPS) for this vulnerable population.

As an organization guided by the social teachings of the Catholic Church, CHA affirms that each person is created in the image of God, and that each human life is sacred and possesses inalienable worth. In their 2003 pastoral letter on immigration Strangers No Longer, the bishops of the United States remind us that immigrants, like all persons, possess inherent human dignity which should be respected. There are currently some 50,000 Haitian TPS holders currently living and working in the U.S., many of them in health care settings where they help meet the needs of those seeking care and comfort. TPS status has been extremely important for them, particularly following the devastating earthquake in 2010. Our Catholic health ministry was made immediately aware of the effects of the earthquake on the infrastructure and social safety net of Haiti, and many of our health care organizations helped contribute to efforts led by Catholic Relief Services and the Archdiocese of Port-au-Prince to rebuild St. Francis de Sales Hospital in the capital. Still, the effects of the earthquake, followed by Hurricane Matthew in 2016 and two additional storms just two months ago, continue to make living conditions there quite desperate. Despite the efforts and progress made by the Haitian people and the international community, the unprecedented events of the past seven years have left the nation unstable and unable to accommodate a flood of new arrivals.

Along with our partners in the Catholic community, CHA believes that the just and compassionate solution is to provide an 18-month extension for Haitian TPS holders. This would allow them to continue contributing to our nation and its workforce in safety, while also giving Haiti more time to rebuild and strengthen its infrastructure. Haitian TPS holders contribute millions of dollars every year to the U.S. economy, and sent over $1 billion of their earnings back to family members in Haiti in 2015 alone as the nation continues to rebuild. Extending their TPS status is not just the moral and compassionate thing to do, it is also a good economic decision that benefits the interests of the U.S. and Haiti as well.
TPS status was instituted to provide protection in our great nation for those whose homeland has become unsafe, precisely the condition that continues in Haiti today. I urge you again to provide the 18-month extension for Haitians and allow them to continue their hard work in raising their families, caring for our citizens and helping to rebuild a nation that will be able to welcome them back safely.

Sincerely,

[Signature]

Sr Carol Keehan, DC
President and CEO

cc: L. Francis Cissna
Director, U.S. Citizenship & Immigration Services
Thank you!

From: Prelogar, Brandon B
Sent: Monday, November 20, 2017 1:52 PM
To: Lansing, Christyn; Deshommes, Samantha L; Alfonso, Angelica M; Petyo, Briana; Christensen, Gillian M; Neufeld, Donald W
Cc: Claffey, Lauren; Houlton, Tyler

Subject: RE: 18 month

When we extend, redesignate, or terminate with a delayed effective date of X many months, we calculate in months not days. An 18-month delayed effective date for termination would be July 22, 2019. Amended below.

From: Lansing, Christyn
Sent: Monday, November 20, 2017 1:46 PM
To: Deshommes, Samantha L; Alfonso, Angelica M; Petyo, Briana; Christensen, Gillian M; Neufeld, Donald W; Prelogar, Brandon B
Cc: Claffey, Lauren; Houlton, Tyler
Subject: RE: 18 month
Thank you. Please let us know which date to add to the press release.

From: Deshommes, Samantha L  
Sent: Monday, November 20, 2017 1:45 PM  
To: Lansing, Christyn; Alfonso, Angelica M; Petojo, Briana; Christensen, Gillian M; Neufeld, Donald W; Prelogar, Brandon B  
Subject: RE: 18 month

Hi – adding the TPS portfolio manager (Brandon P.) to the thread too. 18 months is generally around 547-548 days, so my calculations have it at July 23, 2019 or July 24, 2019, respectively.

Samantha Deshommes  
Chief, Regulatory Coordination Division  
USCIS, Office of Policy & Strategy

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From: Lansing, Christyn  
Sent: Monday, November 20, 2017 1:42 PM  
To: Alfonso, Angelica M; Petojo, Briana; Christensen, Gillian M; Neufeld, Donald W; Deshommes, Samantha L  
Subject: RE: 18 month

Understand, thank you!

From: Alfonso, Angelica M  
Sent: Monday, November 20, 2017 1:41 PM  
To: Lansing, Christyn; Petojo, Briana; Christensen, Gillian M; Neufeld, Donald W; Deshommes, Samantha L  
Subject: RE: 18 month

Its around July 2019….we need a few minutes to nail down a precise date  
+ Sam
From: Lansing, Christyn  
Sent: Monday, November 20, 2017 1:33 PM  
To: Petyo, Briana; Christensen, Gillian M; Alfonso, Angelica M; Neufeld, Donald W  
Subject: 18 month delay

If it is an 18 month delay, are these dates correct? Thanks!

**Key Milestones:**

<table>
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<th>Country</th>
<th>Current Designation Expiration date</th>
<th>60-day decision deadline</th>
<th>Termination Date</th>
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<td>Haiti</td>
<td>Jan 22, 2018</td>
<td>Nov 23, 2017</td>
<td>July 22, 2019</td>
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</table>

Christyn Lansing  
Office of Public Affairs  
U.S. Department of Homeland Security

**Sender:**  
Lansing, Christyn

**Recipient:**  
"Petrov, Brandon B"  
"Deshommes, Samantha L"  
"Alfonso, Angelica M"  
"Petyo, Briana"  
"Christensen, Gillian M"  
"Neufeld, Donald W"  
"Coffey, Lauren"  
"Houton, Tyler"  
"Anderson, Kathryn F"  

Sent Date: 2017/11/20 13:52:31  
Delivered Date: 2017/11/20 13:52:32
The Ambo looked and here are his thoughts

The Ambo looked and here are his thoughts

From: Lansing, Christyn
Sent: Monday, November 20, 2017 2:49:21 PM
To: Costanzo, Emily
Cc: Claffey, Lauren; Houlton, Tyler; Peto, Briana
Subject: RE: DRAFT - script

Looks good to me. Added a couple things.

Briana – do you mind taking a look?

Thanks!

From: Costanzo, Emily
Sent: Monday, November 20, 2017 2:43 PM
To: Lansing, Christyn
Cc: Claffey, Lauren; Houlton, Tyler
Subject: RE: DRAFT - script

A few additions in blue.

From: Lansing, Christyn
Sent: Monday, November 20, 2017 12:41 PM
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of the Freedom of Information and Privacy Act
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<td>&quot;Tyler &quot;</td>
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<td>(bX0)</td>
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</table>
Thanks! will share that with Jonathan
Gracias!

Lauren

From: Petyo, Briana  
Sent: Monday, November 13, 2017 5:07 PM  
To: Claffey, Lauren; Mandy, Cora; Lansing, Christyn  
Cc:  
Subject: RE: Hatti TPS

Haven’t seen any paper. We had a meeting on tps Haiti today to review what the Haitians have done to date and prep her for her meeting with the Haitian FM but no new memos yet

From: Claffey, Lauren  
Sent: Monday, November 13, 2017 4:42:38 PM  
To: Petyo, Briana  
Cc: Mandy, Cora; Lansing, Christyn  
Subject: Hatti TPS

Hello! Heard that there may be updated documents for Haiti TPS? Do you have anything you can share as we are updating the PAG?

Lauren E. Claffey  
Deputy Assistant Secretary  
Office of Public Affairs  
U.S. Department of Homeland Security
<table>
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<tr>
<th><strong>Sender:</strong></th>
<th>Caffey, Lauren</th>
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of the Freedom of Information and Privacy Act.
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Withheld pursuant to exemption

(R)/(S)

of the Freedom of Information and Privacy Act
November 1, 2017

The Honorable John Kelly  
Chief of Staff  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C.

The Honorable Elaine C. Duke  
Acting Secretary  
U.S. Department of Homeland Security  
650 Massachusetts Avenue, NW  
Washington, D.C. 20001

Dear Chief of Staff Kelly and Acting Secretary Duke,

We write to strongly urge you to renew the temporary protected status (TPS) designation for Honduras, Nicaragua, Haiti, El Salvador, and Syria.

As you near the statutory 60-day decision date prior to a country’s TPS expiration, we ask you to review each of these designations closely, taking into consideration the current conditions of each country, the contributions these TPS recipients have made to our country, and the economic impact a negative determination would have across the United States.

The people of Central America and Haiti have faced a series of disasters, including catastrophic earthquakes and hurricanes, that have left their countries devastated. In Syria, ongoing armed conflict has caused death and destruction and has left more than 6 million internally displaced.

In Honduras and Nicaragua, Hurricane Mitch caused extensive damage that destroyed roads, bridges, and agricultural plantations vital to the economy. It claimed the lives of over 10,000 people, and displaced 1.5 million people. Basic social infrastructure systems such as the health, water, and sanitation services were severely damaged and have yet to recover. In addition, violence and climate fluctuations between droughts and floods have rendered these countries unable to adequately handle a safe return of TPS recipients.

In El Salvador, a series of major quakes destroyed a quarter of the country’s housing stock with economic losses amounting to 12 percent of El Salvador’s GDP. Since 2001, Administrations from both parties have extended TPS for El Salvador, with the latest extension ending on March 9, 2018. Infrastructure problems related to these disasters, including lack of potable water, housing shortage, widespread hunger, and unemployment continue to permeate the region. In addition, violence continues to ravage El Salvador, hindering rebuilding efforts. For years, El Salvador has long struggled with staggering homicide rates and transnational gang activity.

In Haiti, a 7.0 magnitude earthquake displaced 1.5 million people and irreparably damaged the island’s infrastructure. The outbreak of infectious diseases and continued hurricane activity have further hindered the country’s ability to recover. The conditions prompting Haiti’s most recent TPS extension continue to persist, including housing shortages; disease; limited access to medical care, food, and water. This year’s hurricanes have inflicted damage on Haiti’s infrastructure, further complicating and delaying the recovery process.
In Syria, atrocities committed by the Assad regime and the Islamic State have created the worst humanitarian crisis of our time. The sustained conflict has displaced five million Syrians from their homeland in search of safety. Forcing these individuals to return to this war zone will effectively amount to a death sentence.

Despite the substantial efforts made by the United States and the international community to improve conditions, the damage of these cataclysmic events compounded by the residual effects of disease, violence, and poverty have resulted in a stagnant recovery. Conditions simply have not sufficiently improved since the most recent extension for these countries to safely and productively reintegrate TPS recipients in their home communities.

Apart from positioning the U.S. as a humanitarian leader, extending TPS also serves our national interest by boosting our economy. According to the Immigrant Legal Resource Center, TPS recipients have high-labor participation rates, ranging from 81-88 percent, 11 percent of which is self-employed. TPS recipients from these countries contribute more than $4.5 billion dollars in pre-tax wages and $6.1 billion in Social Security and Medicare. Terminating TPS for these countries would result in a loss of more than $45.2 billion dollars in GDP, over the next decade.

The deportation of TPS recipients would cost taxpayers $3.1 billion dollars, $10,070 per person. Consequently, employers would have to incur turnover cost of approximately 21.4% of an employee’s yearly salary. Industries with a high concentration of TPS workers, such as, construction, landscaping, child care, and food services would experience massive layoffs. The lay-off of the entire employed TPS population from these countries would result in a more than $967 million turnover cost for businesses.

TPS recipients are hardworking contributors to the American economy and do not represent a risk to public safety. As you know, all TPS recipients are fully vetted and are required to undergo an array of rigorous biometrics checks to ensure that they are not a risk to national security. To be eligible to apply for TPS, applicants must: (1) satisfy continuous presence and continuous resettlement requirements; (2) register for TPS during a set period (3) pay a fee and (4) meet other requirements.

Extending TPS for Honduras, Nicaragua, Haiti, El Salvador, and Syria is a compassionate and pragmatic choice. Giving these countries more time to rebuild and recover from the extraordinary events will protect the lives of vulnerable people and mitigate potential strains on the U.S. economy and immigration system. Moreover, the United States benefits immensely when immigrants work.

We urge you to consider these factors as you make a decision in extending the expiration date of TPS for these countries and await your response.

Sincerely,

Jimmy Gomez
Member of Congress

Norma J. Torres
Member of Congress

James P. McGovern
Member of Congress
Michelle Lujan Grisham  
Member of Congress

Barbara Lee  
Member of Congress

Marcy Kaptur  
Member of Congress

Bobby L. Rush  
Member of Congress

Henry C. "Hank" Johnson, Jr.  
Member of Congress

Yvette D. Clarke  
Member of Congress

Joseph Crowley  
Member of Congress

Raúl M. Grijalva  
Member of Congress

Debbie Wasserman Schultz  
Member of Congress

David N. Cicilline  
Member of Congress

Grace F. Napolitano  
Member of Congress

Eleanor Holmes Norton  
Member of Congress
Peter Welch  
Member of Congress

Mark Pocan  
Member of Congress

Elijah E. Cummings  
Member of Congress

Frank Pallone, Jr.  
Member of Congress

Bonnie Watson Coleman  
Member of Congress

Adriano Espaillat  
Member of Congress

Pramila Jayapal  
Member of Congress

Michael E. Capuano  
Member of Congress

Gwen Moore  
Member of Congress

Linda T. Sánchez  
Member of Congress

Peter A. DeFazio  
Member of Congress

Frederica S. Wilson  
Member of Congress
Janice D. Schakowsky  
Member of Congress

Jared Polis  
Member of Congress

Ro Khanna  
Member of Congress

Joseph P. Kennedy, III  
Member of Congress

Juan Vargas  
Member of Congress

Lucille Roybal-Allard  
Member of Congress

Dwight Evans  
Member of Congress

Donald M. Payne, Jr.  
Member of Congress

Alcee L. Hastings  
Member of Congress

Danny K. Davis  
Member of Congress

Jamie Raskin  
Member of Congress

Kathy Castor  
Member of Congress
Colleen Hanabusa
Member of Congress

J. Luis Correa
Member of Congress

André Carson
Member of Congress

Beto O'Rourke
Member of Congress

Nydia M. Velázquez
Member of Congress

Darren Soto
Member of Congress

Ruben Kihuen
Member of Congress

Katherine Clark
Member of Congress

José E. Serrano
Member of Congress

Joaquin Castro
Member of Congress

Donald S. Beyer Jr.
Member of Congress

Eliot L. Engel
Member of Congress
Seth Moulton  
Member of Congress

J. Luis Correa  
Member of Congress

Mark Takano  
Member of Congress

Val Butler Demings  
Member of Congress

Sheila Jackson Lee  
Member of Congress

Louise McIntosh Slaughter  
Member of Congress

Gregory W. Meeks  
Member of Congress

Mike Quigley  
Member of Congress

Adam Smith  
Member of Congress

Luis V. Gutierrez  
Member of Congress

Frederica S. Wilson  
Member of Congress

Steve Cohen  
Member of Congress
Grace Meng  
Member of Congress

Judy Chu  
Member of Congress

John Yarmuth  
Member of Congress

Albo Sires  
Member of Congress

Alma S. Adams  
Member of Congress
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(R)(5)

of the Freedom of Information and Privacy Act
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(R)(5)

of the Freedom of Information and Privacy Act
November 17, 2017

The Honorable Elaine C. Duke
Acting Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, D.C. 20528

RE: Criteria for Extension of Temporary Protected Status Designations

Dear Secretary Duke:

I write to express my view, as an immigration law scholar, regarding the criteria that should guide the decisions of the U.S. Department of Homeland Security (DHS) regarding extensions of Temporary Protected Status (TPS) designations. I write this letter in my individual capacity, and not on behalf of American University. As explained below, my reading of the Immigration and Nationality Act, along with interpretations rendered by DHS over the years, strongly suggest that the Department can and should evaluate a broad range of country conditions factors when determining whether to extend TPS for a designated country.

As you are well aware, INA § 244(b)(1) permits the DHS Secretary to designate a country for TPS when one of three circumstances exist in that country: an armed conflict, environmental disaster, or other “extraordinary and temporary conditions.” For purpose of this letter, I will focus on the latter two bases for designation.

For countries designated for TPS on the basis of INA § 244(b)(1)(B) (environmental disasters), the central consideration is whether, in the aftermath of the natural disaster(s), the country can “handle adequately the return to the state” of its nationals who are in the United States. INA § 244(b)(1)(B)(ii). This criterion squarely applies to the initial designation, but also to extension decisions, which must assess whether “the conditions” for the designation “continue to be met.” Id. § 244(b)(3)(A). The INA provides no guidance regarding how to measure a state’s ability to handle the return of its nationals, or regarding the precise “conditions” that DHS should examine in extension decisions. Nevertheless, Federal Register notices regarding TPS extensions help complete our understanding of how the law has been interpreted by the Clinton, Bush, and Obama administrations.

I have carefully examined the criteria examined by DHS in TPS extension decisions for countries designated under INA § 244(b)(1)(B). This analysis reveals that the U.S. government has consistently looked to factors beyond the initial natural disaster, and has examined other dimensions of country conditions that affect the state’s ability to absorb the return of its nationals. These factors include subsequent environmental events, infrastructure concerns (including the availability of housing), economic factors (including unemployment and
underemployment), public health considerations, safety and security, as well as general governance concerns. These factors – even if they occurred well after the initial natural disaster – logically affect recovery efforts and the country’s general ability to handle the return of its nationals. Consideration of these factors is compelled not only by an analysis of prior Federal Register notices, but also by a plain reading of the INA.

A similar analysis applies for countries designated for TPS on the basis of INA § 244(b)(1)(C) ("extraordinary or temporary conditions"). Here, too, the statutory language provides guidance for both designation and extension decisions. For a country to be designated under this provision, the conditions must impede “nationals of the state from returning to the state in safety[.]” INA § 244(b)(1)(C) (emphasis added). Similar to the environmental disaster provision – which focuses on the state’s ability to “handle adequately” the return of nationals – the central consideration for this designation is whether or not nationals can safely return to the country of origin. It follows that while an initial designation decision under INA § 244(b)(1)(C) may have centered on a specific set of conditions, any extension decision must necessarily evaluate other factors that would prevent the safe return of nationals. Such a reading is also consistent with how the provision has been interpreted by the U.S. government in its Federal Register notices. For example, Haiti was designated for TPS under this provision due to a confluence of environmental and related humanitarian challenges. Designation of Haiti for Temporary Protected Status, 75 Fed. Reg. 3476 (Jan. 21, 2010). Subsequent extensions – including the most recent extension decision – have cited independent factors that affect the safe return of nationals, including more recent natural disasters, public health concerns, and endemic infrastructural challenges. In concluding that TPS for Haiti should be extended, former DHS Secretary John Kelly noted the following:

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.

Extension of the Designation of Haiti for Temporary Protected Status for Haiti, 82 Fed. Reg. 23832 (May 24, 2017). These factors clearly extend beyond the core factors that precipitated the initial TPS designation. This type of analysis, however, is permitted (indeed, compelled) by the statute, and is consistent across TPS extension decisions.

In conclusion, I emphasize that the statutory language and prior interpretations strongly suggest that DHS should consider a broad range of country conditions factors when making TPS extension decisions. I appreciate your careful consideration of my viewpoints, and the time and attention you are investing in this important decision.

Very truly yours,

/s/
Jayesh Rathod
Professor of Law, Washington College of Law
Interim Director, Center for Latin American and Latino Studies
American University

DHS-001-659-002288
January 11, 2018

The Honorable Kirstjen Nielsen
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Nielsen:

We write to express our deep concern regarding the unprecedented decision to end Temporary Protected Status (TPS) designation for El Salvador, and to request that you reverse this decision.

As you know, nearly 200,000 Salvadorans currently work and live in the United States under TPS protections—more than from any other country. These immigrants have high levels of workforce participation, and their valuable role in our labor force is vital to our economy. According to a recent analysis by the Center for American Progress, if Salvadoran workers with TPS are removed from the labor force, we will lose an estimated $109 billion in GDP over the next decade, as well as billions of dollars in Social Security and Medicare contributions.\(^1\) The renewal of El Salvador’s TPS designation has received strong support from leaders in both business and labor, including the U.S. Chamber of Commerce,\(^2\) the AFL-CIO,\(^3\) and the SEIU.\(^4\) Ending TPS protections for El Salvador will needlessly push nearly 200,000 hardworking immigrants into the shadows, hurting employers in industries across our economy.

El Salvador’s government requested last year that the Trump Administration continue its existing TPS designation, after assessing that its country lacks the capacity to absorb tens of thousands of TPS returnees.\(^5\) Additionally, remittances transmitted by TPS recipients, who are authorized to work in the U.S., provide a critical boost to El Salvador’s fragile economic security. More than 50 percent of TPS recipients in these countries have resided in the U.S. for 20 years or more, and TPS beneficiaries are parents to an estimated 273,000 U.S. citizen children.\(^6\) The decision to end TPS will uproot thousands of well-established lives and, in many cases, will devastate families and communities.


We believe that conditions in El Salvador remain unstable, and that continued TPS designation is warranted for the country. In June 2017, the Trump administration held a conference to promote prosperity, governance, and rule of law in the Northern Triangle countries of Central America—including El Salvador, Honduras, and Guatemala. While progress has been made under the Alliance for Prosperity in reducing gang violence, improving rule of law, and addressing root causes of migration, considerably more work needs to be done as conditions remain dangerous and the economic situation tenuous. The decision to end TPS for 200,000 Salvadorans and needlessly subject these immigrants to deportation stands to threaten, not further, this progress.

Given these concerns, we ask that you provide the following information no later than January 25, 2018:

1. A complete copy of documents prepared by the State Department and transmitted to the Department of Homeland Security regarding the country condition in El Salvador, including the recommendation regarding extension or termination of the TPS designation for El Salvador;

2. A complete copy of documents prepared by the U.S. Embassy in El Salvador and transmitted to the State Department regarding the Embassy’s assessment of country conditions and formal recommendation related to the extension or termination of the TPS designation for El Salvador;

3. A description of how this information was considered in reaching your decision to terminate the TPS designation for El Salvador;

4. A description of how, if at all, the State Department’s February 14, 2017, travel warning stating that El Salvador has one of the highest homicide levels in the world, and citing high rates of MS-13 and Eighteenth Street gang violence, was considered in reaching your decision to terminate the TPS designation for El Salvador; and

5. A description of any involvement by White House officials in the decision-making process related to the TPS designation for El Salvador, including detailing any policy preference or perspective communicated by the White House to you or other Department of Homeland Security officials.

We urge you to reconsider the decision to end TPS protections for Salvadorans, and commit to working with Congress to pass legislation providing permanent protections for current TPS beneficiaries. Thank you for your attention to this matter.

With best personal regards, we are

Sincerely yours,

Ben Cardin
United States Senator

Thomas R. Carper
United States Senator

Patty Murray
United States Senator

Edward J. Markey
United States Senator

DHS-001-659-002290
Cory A. Booker
United States Senator

Catherine Cortez Masto
United States Senator

Tammy Duckworth
United States Senator

Chris Van Hollen
United States Senator

Kamala Harris
United States Senator

Elizabeth Warren
United States Senator

Kirsten Gillibrand
United States Senator

Tina Smith
United States Senator

Amy Klobuchar
United States Senator

Ron Wyden
United States Senator

Maria Cantwell
United States Senator

Christopher A. Coons
United States Senator

Richard Blumenthal
United States Senator

Robert Menendez
United States Senator

Mazie K. Hirono
United States Senator
October 17, 2017

The Honorable Elaine Duke
Secretary of Homeland Security
Washington, DC 20528

Dear Secretary Duke:

On behalf of the 500,000 men and women of the Laborers’ International Union of North America (LIUNA), a union built by and for immigrants, I write to ask you to maintain and extend the Deferred Action for Childhood Arrivals (DACA) program, as well as the Temporary Protected Status (TPS) program. LIUNA supports comprehensive immigration reform but, until Congress acts, we ask that your Administration address DACA and TPS.

DACA recipients, known as Dreamers, work and pay taxes, supporting their families as well as the U.S. economy. These young Americans should not have to live and work in fear of deportation, especially when they have followed the rules. They came to our great country when they were children and need to know that they can continue to stay and work in the U.S. This is often the only home they have known. Dreamers are as American as those born here, except for an immigration status beyond their control. It is about time that they are able to live their lives unburdened by the fear of deportation. They need stability to continue to contribute more fully to our economy, our communities, and our union. Therefore, LIUNA supports continuation of the DACA program to protect this vital young workforce. LIUNA is working closely with Congress to pass the Dream Act, and we call on your Administration to maintain and extend DACA in the event that Congress does not do its job to pass this needed legislation.

Additionally, deadlines are approaching for the removal of workers under TPS for several nations, including Haiti, El Salvador, and Honduras. The end of the TPS program for residents of these distressed nations would have a significantly negative effect on the construction industry. Over twenty percent (20%) of TPS recipients work in the construction industry, most from these three nations. In addition to the devastating impact on these workers and their families, termination of the TPS program would lead to an estimated $45 billion reduction in the GDP, an immediate $6.9 billion reduction in tax contributions, and nearly $1 billion in employer costs. LIUNA supports an additional extension of the TPS program.
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The construction industry needs to retain workers covered by the DACA and TPS programs to continue to build America. It is the right thing to do for these valued immigrants, our union, and our nation’s economy. I urge you to exercise your authority to maintain and extend both of these important programs.

With kind regards, I am

Sincerely yours,

TERRY O’SULLIVAN  
General President

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