

November 10, 2017

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

RE: Request to Extend Temporary Protected Status for Haiti

Dear Secretary Duke:

Enclosed please find a letter endorsed by 32 Massachusetts health care provider organizations and health care consumer advocacy organizations requesting that you extend Temporary Protected Status (TPS) for Haitians for another 18 months.

Thank you for giving the enclosed letter your consideration.

Yours truly,



Victoria Pulos

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

RE: Request to Extend Temporary Protected Status for Haiti

Dear Secretary Duke:

On behalf of the undersigned 32 Massachusetts health care provider organizations and health care consumer advocacy organizations, we respectfully request that you extend Temporary Protected Status (TPS) for Haitians for another 18 months. To allow TPS for Haiti to expire in January will pose a serious risk to the health and safety of Haitian TPS holders if they were to return to the country, and would place unreasonable burdens on the country as it struggles to recover from multiple natural disasters.

The Haitian people have faced a series of public health disasters since the 2010 earthquake which originally led to TPS designation. Haiti has not recovered from the 2010 earthquake, 360,000 people are still homeless as a result of the earthquake and living in camps seven years later. Further, United Nations humanitarian efforts following the earthquake introduced cholera – now the worst cholera epidemic in recent history according to the Centers for Disease Control and Prevention. Hurricane Matthew struck Haiti in October 2016 which devastated food production, exacerbated the cholera epidemic, and has led to widespread malnutrition.

Allowing Haitian TPS holders to remain safely in the U.S. until Haiti is sufficiently stable is in the national interest. Haitian TPS holders are a self-sufficient and industrious segment of the U.S. economy and are providing invaluable economic support to family members still in Haiti, preventing further destabilization of the country. Here in Massachusetts, Haitians make up an important segment of the health care and direct care work force in Massachusetts caring for elderly, infirm and disabled state residents. There are approximately 4,735 Haitian TPS holders in our state.

Additionally, we ask that you extend TPS for other countries that will be facing re-designation in the coming months – including Honduras, Nicaragua, and El Salvador – which represent an additional 5,000+ individuals in our commonwealth. TPS holders make enormous contributions to our economy and society, and the elimination of the program is projected to result in a \$6.9 billion reduction in Social Security and Medicare contributions and an overall \$45.2 billion reduction in GDP over ten years.

In Massachusetts alone, the projected annual loss in GDP if TPS is terminated for all countries is \$645.8 million, not counting turnover and other business costs associated with the loss of employees. Individuals from TPS countries face similar unstable and unsafe conditions as Haitians would face if forced to return to their home countries, and should be provided an opportunity to remain on TPS.

We ask you to extend TPS and offer our Haitian community members the protection they need, and also support extensions for the other TPS holders, who face similar risks. For questions or comments about this letter please communicate with Victoria Pulos, vpulos@mlri.org, 617-357-0700 Ext. 318

This letter is endorsed by the following Massachusetts organizations:

Association for Behavioral Healthcare
Boston Medical Center
Brockton Neighborhood Health Center
Cambridge Health Alliance
Central West Justice Center
Charles River Community Health Center
Codman Square Health Center, Inc.
Community Health Programs
DotHouse Health
East Boston Neighborhood Health Center
Edward M Kennedy Community Health Center
First Parish Brookline
Greater Boston Health and Law Immigrant Solidarity Network
Health Care For All
Health Law Advocates
Hilltown Community Health Center
Immigrant Service Providers Group/Health
Lowell Community Health Center
Massachusetts General Hospital
Massachusetts Health and Hospital Association
Massachusetts Immigrant and Refugee Advocacy Coalition
Massachusetts Law Reform Institute
Massachusetts League of Community Health Centers

Mattapan Community Health Center
Mental Health Legal Advisors Committee
MetroWest Legal Services
North Shore Community Health
Northeast Justice Center
Partners HealthCare
Pediatric Resident Advocacy Committee Massachusetts General
Hospital for Children
Social Justice Interest Group at Massachusetts General Hospital
Upham's Corner Health Center



U.S. Citizenship
and Immigration
Services

December 12, 2017

Ms. Victoria Pulos
Massachusetts Law Reform Institute
40 Court Street, Suite 800
Boston, Massachusetts 02108

Dear Ms. Pulos:

Thank you for your November 20, 2017 letter. Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designation for Haiti. The Secretary of Homeland Security's authority to designate or redesignate a country for TPS and to extend or terminate a country's existing designation is based upon specific statutory criteria. *See* Immigration and Nationality Act (INA) § 244(b). U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

At least 60 days before the current expiration date for a TPS designation, the Secretary must review conditions in the foreign country and, after consultation with other appropriate federal agencies, determine whether the statutory conditions for TPS continue to be met. Under the INA, if the Secretary determines that the conditions for designation are no longer met with respect to a country, the Secretary is required to terminate the designation. *See* INA § 244(b)(1), (3).

On November 20, 2017, former Acting Secretary Duke announced the termination of Haiti's TPS designation after determining that the statutory conditions for its designation no longer continued to be met. However, to allow for an orderly transition, the former Acting Secretary delayed the effective date by 18 months, so the termination of Haiti's designation will not become effective until July 22, 2019. This 18-month period will provide time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States.

Additional information on the termination of TPS for Haiti can be found in former Acting Secretary Duke's November 20, 2017 announcement of the decision posted on the DHS website, on the USCIS website, and in a notice that will be published in the *Federal Register*.

Thank you for your letter and interest in this important issue. Please feel free to share this information.

Respectfully,

L. Francis Cissna
Director