

Congress of the United States

Washington, DC 20515

April 23, 2024

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

The Honorable Antony Blinken
Secretary of State
U.S. State Department
2201 C Street NW
Washington, DC 20037

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

The Honorable Samantha Power
Administrator of the USAID
U.S. Agency for International Development
1300 Pennsylvania Avenue, NW
Washington, DC 20523

Dear President Biden, Secretary Mayorkas, Secretary Blinken, and Administrator Power:

We write to express our deep alarm and concern regarding the deteriorating situation in Haiti. As you may know, Haiti is currently experiencing a dire situation, with rampant violence and food insecurity, primarily driven by gang conflicts due to a myriad of issues. We urge the Administration to redesignate Haiti for Temporary Protected Status (TPS), halt deportations back to Haiti, and extend humanitarian parole to any Haitians currently detained in Immigration and Customs Enforcement's (ICE) detention centers. Additionally, we request your administration's end to the detention of Haitian migrants who were interdicted at sea. The possibility of transferring them to Guantánamo Bay naval base and other offshore migrant detention centers is concerning and must not be explored. In addition, we are asking that you provide humanitarian assistance to help Haitians navigate these tragically traumatic and difficult times.

As you are aware, Haiti is amid an unprecedented humanitarian crisis, as gang violence plagues the country driven in large part by extreme political instability. Critics have accused Prime Minister Henry of unconstitutionally clinging to power considering his failure to organize general elections as promised following the assassination of President Jovenel Moïse in July 2021. The resulting turmoil and demonstrations have led to widespread break outs at the two most notorious prisons in the country and attempts by gangs to take control of Haiti's main airport, impacting flights and leading to a state of emergency and a curfew. These instances of violence and civil unrest are not confined just to the capital in Port-au-Prince, but have spread across the country, leading to closures of banks, schools, and hospitals. The United Nations reports that approximately 5.5 million Haitians need assistance, including 3 million children¹. While the national port remains operational, accessing it via the gang-controlled surrounding areas is extremely difficult, leading 1.4 million Haitians to be "one step away from famine."²

The extension and redesignation of TPS for Haiti will protect Haitian migrants against removal to a country ill-equipped to handle their return. The current TPS designation is effective until

¹ <https://news.un.org/en/story/2024/03/1147836>

² <https://www.wfp.org/news/wfp-scrambles-respond-hunger-crisis-haiti-amid-funding-crunch-country-teeters-brink-0>

August 3, 2024. All the conditions leading to the Biden administration's original TPS redesignations on December 5, 2022, and August 3, 2021, in addition to the deteriorating crisis described herein, exhibit temporary and extraordinary conditions that make a safe return to Haiti impossible. Thus, we urge for the extension and re-designation of TPS for Haiti.

In addition, due to the burden faced by Haitian students in the U.S., we call on the administration to extend Special Student Relief employment benefits for nonimmigrant students from Haiti experiencing severe economic hardship. This notice is also set to expire on August 3, 2024.³

Further, we strongly urge the administration to stop the unconditional deportation of migrants to Haiti. We are alarmed that 65 Haitian migrants interdicted at sea were recently repatriated.⁴ The State Department has issued a Level 4 Travel Advisory for the country, citing high rates of kidnapping, crime, and civil unrest. International laws and principles, including the principle of non-refoulement under the 1951 Refugee Convention, stipulate that individuals should not be deported to countries where they face severe threats to their life or freedom. As such, just as the U.S. halted all deportations to Haiti on January 13, 2010⁵, the day after the earthquake, and again in October 2016 following the devastation of Hurricane Matthew⁶, this administration should cease deportation flights and at-sea repatriations to Haiti.

We also urge for the release of Haitians currently detained. There is ample evidence that Black people in detention are subjected to disparate treatment like higher bond amounts. Black migrants also face far higher levels of abuse and violence in ICE's detention centers. Despite only making up 6% of the people in ICE detention, they comprise 28% of abuse-related reports and 24% of those in solitary confinement.⁷ For individuals deemed to pose a security threat who cannot be returned to their home country due to the risk of harm, we recommend exploring alternatives to detention that balance the need for security with the individual's right not to be returned to harm. As Haitian immigrants proceed with their asylum claims, they should be allowed to be with their families in the U.S. and be provided with a pathway to temporary residency and we urge the administration to expand and expedite other humanitarian pathways.

Additionally, we are concerned to see recent reports that your administration is considering detaining Haitians interdicted at sea transferred and processed at the Guantánamo Bay naval base and other offshore migrant detention centers.⁸ Given the deteriorating conditions in the country and a history of U.S.-Haiti relations marred by systemic racism and mistreatment toward the Haitian people, we urge you to abandon the plan. Instead, we urge you to focus on creating safe pathways to protection for Haitian nationals, which include access to a credible and humane asylum process.

³ <https://www.federalregister.gov/documents/2023/01/26/2023-01593/employment-authorization-for-haitian-f-1-nonimmigrant-students-experiencing-severe-economic-hardship>

⁴ <https://www.news.uscg.mil/Press-Releases/Article/3704408/coast-guard-repatriates-65-migrants-to-haiti/>

⁵ <https://ccrjustice.org/sites/default/files/assets/Final%20Deportations%20Factsheet.pdf>

⁶ <https://apnews.com/united-states-government-a74f0b451e5a45e19c996843f79b9e7d>

⁷ <https://static1.squarespace.com/static/5a33042eb078691c386e7bce/t/6358c4c94b39565ec808f049/1666761932698/Uncovering+the+Truth.pdf>

⁸ <https://www.cnn.com/2024/03/13/politics/biden-administration-guantanamo-bay-haitian-migrants/index.html>

Lastly, we are glad to see the U.S. providing an additional \$25 million in humanitarian assistance for Haiti, which builds on the \$33 million Secretary Blinken announced on March 11, 2024⁹. This funding is crucial to efforts by the United Nations and Non-Governmental (NGO) partners to provide immediate food assistance, essential relief supplies, relocation support, psycho-social support, emergency health care, safe drinking water, and protection services for the most vulnerable, including women and girls. We request you provide a report outlining the dissemination of these funds and recommend partnering with organizations on the ground in Haiti to facilitate distribution.

We thank you in advance for your immediate attention to this matter. We look forward to working with you to prevent any further suffering and unnecessary loss of life.

Sincerely,



Yvette D. Clarke
Member of Congress



Ayanna Pressley
Member of Congress



Sheila Cherfilus-McCormick
Member of Congress



Eleanor Holmes Norton
Member of Congress



Debbie Wasserman Schultz
Member of Congress



Nikema Williams
Member of Congress



Ilhan Omar
Member of Congress

⁹ <https://www.usaid.gov/news-information/press-releases/mar-15-2024-united-states-will-provide-additional-25-million-address-humanitarian-crisis-haiti>



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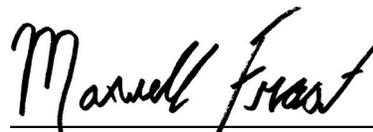
Summer Lee
Member of Congress



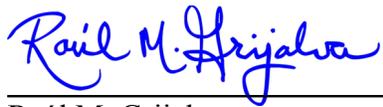
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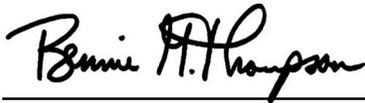
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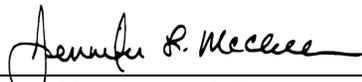
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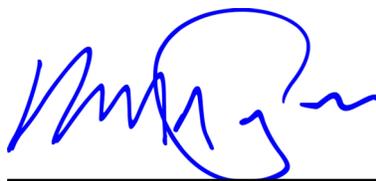
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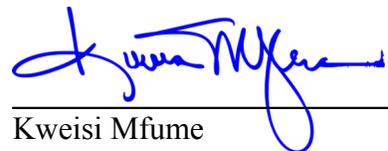
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