

# Congress of the United States

Washington, DC 20515

March 18, 2025

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

Dear Secretary Kristi Noem,

We write to express deep concern over the Department of Homeland Security's (DHS) recent decision to rescind the extended designation of Haiti for Temporary Protected Status (TPS), effectively ending legal protections for Haitians on August 3, 2025. This abrupt reversal raises significant questions about procedural rigor, the humanitarian obligations of the United States, and adherence to congressional intent under the Immigration and Nationality Act (INA).

### ***Lack of Justification***

The July 1, 2024, [Federal Register notice](#) extending Haiti's TPS cited "grave insecurity, gang violence, socio-economic collapse, and environmental disasters" as an ongoing crisis warranting protection. However, your [February 2025](#) notice asserts that the 18-month period lacked justification. This decision ignores the overwhelming evidence that Haiti remains an unsafe place for anyone to return to.

These conditions cited on the July 1, 2024 Federal Register Notice have worsened. Armed groups now control over 90% of Port-au-Prince, terrorizing civilians with widespread kidnappings, sexual violence, and indiscriminate killings. The [UN reports](#) that at least 5,601 people were killed in Haiti last year as a result of gang violence, over 1,000 more than the total killings for 2023. As of September 2024, nearly half the population of the country— [5.5 million Haitians](#)—require urgent humanitarian aid, with 1.6 million facing "catastrophic" food insecurity. Gang sieges and arson attacks have internally displaced over [1,041,000 people](#).

The decision to rescind Haiti's TPS designation is not thoughtful policy in the best interest of the United States. During his 2024 presidential campaign, Donald Trump explicitly singled out Haitian TPS recipients in rallies and interviews. This rhetoric mirrored his 2017 termination of Haiti's TPS designation, which a [federal court blocked](#) for violating the Administrative Procedure Act and failing to consider country conditions. The administration's current vacatur revives this legally dubious playbook, seeking to destabilize the lives of Haitian immigrants through shortened protections and heightened uncertainty.

### ***Failure to Adequately Consider National Interest Factors***

The recent announcement criticizes former Secretary Mayorkas for not evaluating whether TPS aligns with the national interest, but in fact it is your decision that omits a substantive analysis. As you have noted, "National interest is an expansive standard that may encompass an array of broad considerations." The "national interest" encompasses not only immigration enforcement but also humanitarian commitments, diplomatic relations, and economic contributions of TPS holders.

Haitian TPS holders contribute billions of dollars annually to the U.S. economy and hold critical roles in healthcare, construction, and childcare—sectors already facing severe labor shortages. Terminating their status would destabilize local economies, particularly in Florida, New York, and Massachusetts, where 73% of Haitian TPS recipients reside. In cities like Springfield, Ohio, Haitian immigrants have helped reverse population decline, leading to higher wage growth compared to the rest of the state and country.

Forcing returns to Haiti—a country the U.S. has deemed to be at a “[Level 4: Do Not Travel](#)” due to “kidnapping, crime, and civil unrest” —would strain diplomatic relations with Caribbean partners in CARICOM, who have repeatedly urged the U.S. to uphold protections for Haiti. Conversely, destabilizing Haiti through mass returns would exacerbate gang recruitment. Allowing Haiti’s crisis to worsen directly threatens U.S. interests by exacerbating regional instability, fueling mass displacement, and empowering criminal networks with transnational reach. Gang alliances with drug traffickers and arms smugglers—many sourcing weapons from U.S. ports—have turned Haiti into a hub for illicit flows that endanger Caribbean partners and U.S. coastal security. To terminate TPS under these conditions would recklessly ignore statutory obligations to safeguard the “national interest,” which unequivocally includes preventing failed states and securing regional stability.

TPS is a fully legal immigration designation authorized under § 244 of the INA. Recipients undergo rigorous vetting, including biometric screenings and background checks by DHS and the Federal Bureau of Investigation (FBI). To imply general criminality or illegality about TPS recipients is false and undermines the statutory integrity of a bipartisan program which Congress designed to uphold humanitarian and diplomatic obligations. As is clear from President Trump’s “s-hole countries” and “pet-eating” remarks, Haitian immigrants have been disproportionately targeted and vilified. To terminate TPS under the guise of “national interest” while ignoring the law’s explicit protections for family unity, regional stability, and humanitarian duty is not merely a legal failure—it is a moral betrayal.

### ***Reliance on Speculative Data***

The rescission announcement cites the potential for improvement through the Multinational Security Support (MSS) Mission in Haiti—a speculative basis for policy change. Conditions in Haiti are still not optimal as gangs continue to dominate large swaths of Port-au-Prince. More needs to be done for the mission to materialize as planned. As of November 2024, only [1,000 personnel](#) (40% of the planned 2,500) have deployed, leaving the mission critically under-resourced and unable to counter gangs. The Haitian National Police and current MSS forces are “[outgunned and outnumbered](#).” Further, Haiti’s Transitional Presidential Council, backed by CARICOM and the Organization of American States (OAS), remains deeply divided, with internal disagreements. Currently, Haiti has no elected president, parliament, or local officials. This political disarray has emboldened gangs, who exploit the power vacuum to expand territorial control. Prematurely curtailing TPS based on speculation rather than evidence contradicts the INA’s requirement for data-driven decisions.

### ***Extension and Redesignation of TPS for Haiti***

We request that you extend and redesignate Haiti for TPS for the statutory maximum of 18 months. Failure to extend and redesignate TPS would violate the INA’s requirement for data-driven decisions and abandon over 500,000 Haitians to a warzone the U.S. government has explicitly deemed unsafe. Congress intended TPS to be both a humanitarian tool and a pragmatic response to unstable conditions

abroad. While DHS has discretion, that authority must be exercised with diligence, transparency, and fidelity to the law.

In light of concerns about arbitrary and capricious violation of federal law, we request responses to the following questions:

Justification & Legal Basis:

1. What specific legal or factual basis supports the decision to partially vacate Haiti’s TPS designation, despite the worsening conditions outlined in the July 1, 2024, Federal Register notice?
2. How does this decision align with INA § 244(b)(3)(A), which requires a data-driven assessment of country conditions?
3. Why was the 18-month period deemed unjustified when DHS previously cited “grave insecurity, gang violence, socio-economic collapse, and environmental disasters” as ongoing crises warranting protection?

Humanitarian & National Interest Considerations:

4. How did DHS determine that it is in the U.S. "national interest" to shorten TPS for Haiti, given the economic contributions of Haitian TPS holders and the potential disruption to key labor sectors?
5. What assessment did DHS conduct on the potential impact of returns on regional stability and U.S. diplomatic relations with CARICOM and other Caribbean partners?
6. Given that the U.S. State Department designates Haiti as a "Level 4: Do Not Travel" country, how does DHS justify deportations to a country the U.S. government itself deems unsafe?
7. Was USAID, the State Department, or any humanitarian organizations consulted before the decision? If so, what were their recommendations?

Thank you and we look forward to hearing from you.

Sincerely,



Yvette D. Clarke  
Member of Congress



Ayanna Pressley  
Member of Congress



Chris Van Hollen  
United States Senator



Hakeem Jeffries  
Member of Congress



Charles E. Schumer  
United States Senator



Katherine M. Clark  
Member of Congress



Maxine Waters  
Member of Congress



Paul D. Tonko  
Member of Congress



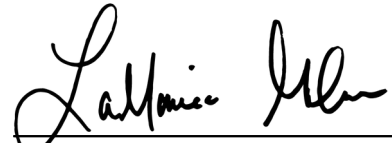
Delia C. Ramirez  
Member of Congress



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



Pramila Jayapal  
Member of Congress



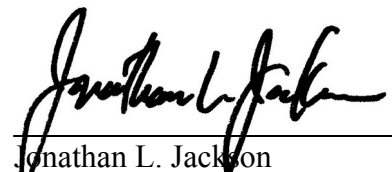
LaMonica McIver  
Member of Congress



Debbie Wasserman Schultz  
Member of Congress



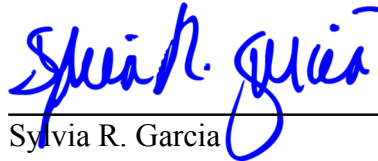
Nydia M. Velázquez  
Member of Congress



Jonathan L. Jackson  
Member of Congress



Grace Meng  
Member of Congress



Sylvia R. Garcia  
Member of Congress



James P. McGovern  
Member of Congress



Darren Soto  
Member of Congress



Alma S. Adams, Ph.D.  
Member of Congress



Jack Reed  
United States Senator



Danny K. Davis  
Member of Congress



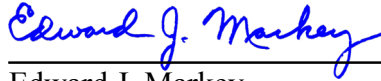
Sheldon Whitehouse  
United States Senator



Kirsten Gillibrand  
United States Senator



Thomas R. Suozzi  
Member of Congress



Edward J. Markey  
United States Senator



Chellie Pingree  
Member of Congress



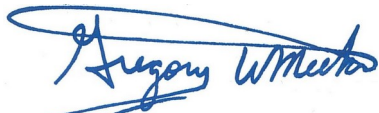
Seth Magaziner  
Member of Congress



Frederica S. Wilson  
Member of Congress



Eleanor Holmes Norton  
Member of Congress



Gregory W. Meeks  
Member of Congress



Raphael Warnock  
United States Senator



Summer L. Lee  
Member of Congress



Seth Moulton  
Member of Congress



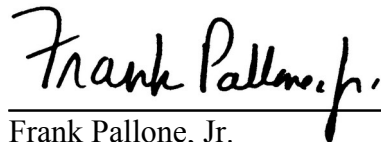
Bonnie Watson Coleman  
Member of Congress




Maxwell Alejandro Frost  
Member of Congress



Jesús G. "Chuy" García  
Member of Congress



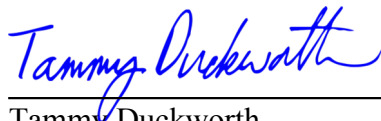
Frank Pallone, Jr.  
Member of Congress



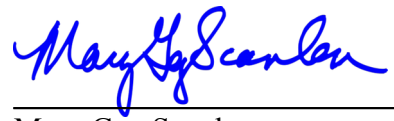
Judy Chu  
Member of Congress



Joyce Beatty  
Member of Congress



Tammy Duckworth  
United States Senator



Mary Gay Scanlon  
Member of Congress



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Lori Trahan  
Member of Congress



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Ilhan Omar  
Member of Congress



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Elizabeth Warren  
United States Senator



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Dan Goldman  
Member of Congress



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Cory A. Booker  
United States Senator



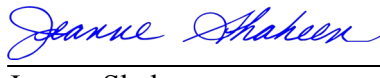
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Andre Carson  
Member of Congress



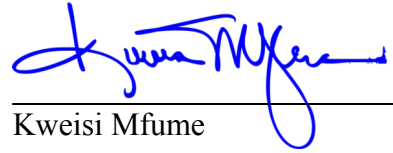
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Kathy Castor  
Member of Congress



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Jeanne Shaheen  
United States Senator



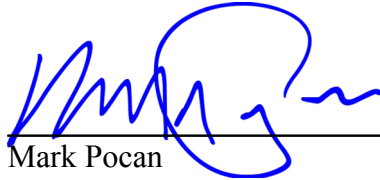
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Kweisi Mfume  
Member of Congress



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Catherine Cortez Masto  
United States Senator



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Mark Pocan  
Member of Congress



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Tim Kaine  
United States Senator



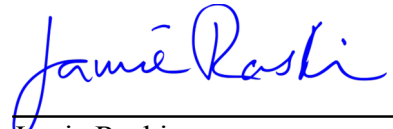
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George Latimer  
Member of Congress



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Christopher A. Coons  
United States Senator



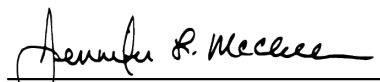
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Jamie Raskin  
Member of Congress



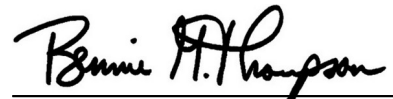
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Zoe Lofgren  
Member of Congress



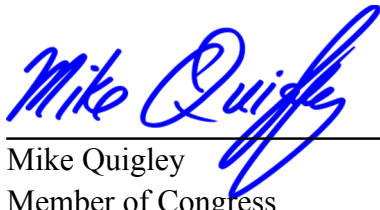
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Jennifer L. McClellan  
Member of Congress



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Bennie G. Thompson  
Member of Congress



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Mike Quigley  
Member of Congress



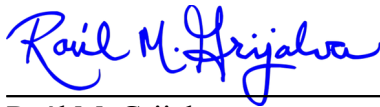
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Eric Swalwell  
Member of Congress



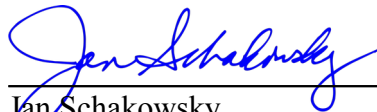
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Bernard Sanders  
United States Senator



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Raúl M. Grijalva  
Member of Congress



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Jan Schakowsky  
Member of Congress



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Greg Casar  
Member of Congress



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Martin Heinrich  
United States Senator



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Mark R. Warner  
United States Senator



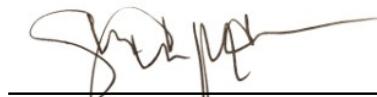
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Gabe Amo  
Member of Congress



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Alex Padilla  
United States Senator



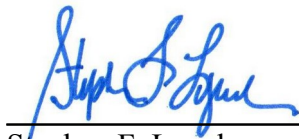
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Sheila Cherfilus-McCormick  
Member of Congress



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Robert C. "Bobby" Scott  
Member of Congress



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Stephen F. Lynch  
Member of Congress



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Richard J. Durbin  
United States Senator



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Peter Welch  
United States Senator



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Andy Kim  
United States Senator



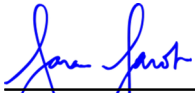
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Amy Klobuchar  
United States Senator



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Richard Blumenthal  
United States Senator



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Sara Jacobs  
Member of Congress



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Rashida Tlaib  
Member of Congress



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Terri A. Sewell  
Member of Congress



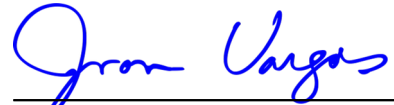
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Mazie K. Hirono  
United States Senator



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Marc A. Veasey  
Member of Congress



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Juan Vargas  
Member of Congress



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Alexandria Ocasio-Cortez  
Member of Congress



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Donald S. Beyer Jr.  
Member of Congress



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Shri Thanedar  
Member of Congress



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Pablo José Hernández  
Member of Congress