

# United States Senate

WASHINGTON, DC 20510

July 22, 2019

The Honorable Kevin McAleenan  
Acting Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Avenue NW  
Washington, D.C. 20528

Dear Acting Secretary McAleenan:

As you know, conditions in Haiti remain volatile as the government and people have yet to fully recover from a series of natural disasters and an intervening public health epidemic causing extraordinary conditions for the government and the people of Haiti. Accordingly, I encourage you to reconsider the termination of Temporary Protected Status (TPS) for Haiti and request that, subject to all applicable laws, regulations, and court orders, you grant a new, 18-month TPS designation for Haiti.

Under the Immigration and Nationality Act, the Secretary of the Department of Homeland Security – in consultation with the State Department – may designate a country for TPS under several specific scenarios, including an environmental disaster that substantially disrupts living conditions or “extraordinary and temporary conditions” that prevent nationals from safely returning. Both such scenarios continue to apply to Haiti.

On November 20, 2017, the Department of Homeland Security announced that TPS for Haiti would terminate on July 22, 2019. Subsequently, two federal district courts issued preliminary injunctions effectively prohibiting the termination of the program pending further court orders. Therefore, Haitian TPS holders’ status will remain unchanged unless, and until, the preliminary injunction is reversed.

Understanding that the issue is subject to ongoing litigation, I write to ensure that you are aware of the ongoing conditions on the ground in Haiti. Since 2010, the United States has designated Haiti for TPS, recognizing the island country’s perilous conditions as a result of a historic 7.0 magnitude earthquake that caused massive structural damage and considerable loss of life, a subsequent cholera epidemic, and Hurricane Matthew in 2016. In addition, the Haitian National Police remains ill equipped to confront ongoing security challenges following the United Nations’ diminished presence in 2017. As the United Nations’ mission to support the police ends in October and elections for the parliament come due, the conditions could worsen even more.

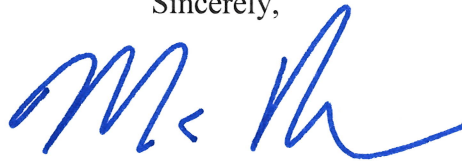
During my recent visit to Haiti, it was clear to me that the country is unable to absorb a large number of returnees at this time. New Haitian leadership has provided the United States with a renewed opportunity to empower its people to advance our shared principles of freedom and democracy and to ultimately rebuild a stronger and even more resilient Haiti. We must

remain committed to those principles and stand with our neighbors in Haiti as they tackle their challenges.

As Chairman of the Senate Foreign Relations Subcommittee on the Western Hemisphere and as a member of the Senate Appropriations Committee, I will continue to strongly support U.S. initiatives that promote good governance and security, combat poverty and health epidemics, and advance economic opportunities for the people of Haiti.

I look forward to the opportunity to discuss this important matter with you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Rubio', with a stylized flourish at the end.

Marco Rubio  
U.S. Senator