

The Honorable Joseph Biden
President of the United States

Secretary Alejandro Mayorkas
Department of Homeland Security

Amb. Susan Rice
Domestic Policy Council

Jake Sullivan
National Security Advisor

Anthony J. Blinken
Secretary of State

Submitted via email July 8, 2021

Re: Joint Letter to President Biden, DHS, DPC, NSA and DOS on Immediate Protection of Haitians Inside the U.S. and at the Southern Border After Assassination of President Moïse

Dear President Biden, Secretary Mayorkas, Amb. Rice, Advisor Sullivan and Secretary Blinken:

The undersigned 134 human rights, humanitarian, immigration and women's rights organizations come to you in great fear for the people of Haiti after the [assassination](#) of President Jovenel Moïse and serious injury of the first lady, Martine Moïse, at home in the middle of the night.

[Armed gangs control many streets](#) and have been kidnapping civilians, including school children and church pastors in the middle of their services. Now, experts warn that the political vacuum left by President Moïse's assassination could exacerbate the current cycle of violence in Haiti. At this time of great political and social uncertainty, it would be unconscionable and unlawful for the United States to refuse the entry of Haitians seeking protection at the U.S. border or to pursue removal proceedings, detention, deportation or expulsion of any Haitian nationals to conditions that can only be described as dangerous.

The Biden Administration publicly acknowledged the political turmoil and violence overtaking life in Haiti and rightfully redesignated Haiti for temporary protected status (TPS) on May 22, 2021 for an 18-month period. As [DHS Secretary Alejandro Mayorkas](#) said in his TPS announcement,

Haiti is currently experiencing serious security concerns, social unrest, an increase in human rights abuses, crippling poverty, and lack of basic resources, which are exacerbated by the COVID-19 pandemic. . . . After careful consideration, we determined that we must do what we can to support Haitian nationals in the United States until conditions in Haiti improve so they may safely return home.

We are grateful that the Administration took this step as it may provide protection to over one hundred thousand Haitians and their U.S. family members living here, but eligible Haitians [still await publication](#) in the Federal Register so that they can apply for TPS. A coherent domestic and foreign policy agenda with Haiti is crucial to ensuring that the rights and protection of Haitians are prioritized through the compassionate [exercise of prosecutorial discretion](#) inside the United States and the application of U.S. asylum law to those seeking refuge at the border. No Haitian should be subjected to expedited removal or

reinstatement of removal given the lives at stake and the Biden administration's own assessment of the dangerous conditions in Haiti.

As Paul Pierrilus, who has been in hiding since he was [deported to Haiti](#) in February 2021 even though he was not born in Haiti and is not a Haitian citizen, said today: "If the country is not safe for its own President how can it be safe for someone like me?"

More than one million Haitians and Americans of Haitian descent are part of our American fabric, establishing robust communities in states such as Florida, New York and Massachusetts where more than two-thirds live, and contributing their literature, art, cuisine, and effort to public health and countless businesses and nonprofits across the United States. Thousands more Haitians are [stranded in treacherous conditions](#) in Mexican border towns as they attempt to seek protection in the U.S. but face [insurmountable barriers](#) due to [Title 42. Over two thousand more have been deported under the Biden Administration](#) back to the same conditions that spurred a redesignation of TPS. We urge the Biden Administration to pursue a coherent domestic and foreign policy agenda, stand in solidarity with the Haitian community and immediately implement the following measures:

- Direct Senior Official Performing the Duties of CBP Commissioner Troy A. Miller to instruct CBP agents and officers to issue parole to all Haitians seeking protection at a U.S. border, refer them into INA Sec. 240 removal proceedings, and then ICE attorneys should join a motion to administratively close 240 proceedings and a referral of any asylum claim to the USCIS Asylum Office for adjudication. Mr. Miller should also direct CBP officers and agents to end Title 42 expulsions and deportation flights and process Haitian and other asylum seekers at ports of entry;
- Direct Acting ICE Director Tae D. Johnson and Principal Legal Advisor John D. Trasviña to issue guidance to ICE officers, agents, and trial attorneys to refrain from pursuing removal proceedings or the detention or deportation of Haitian nationals while the country remains in crisis;
- Publish the Haiti TPS redesignation in the Federal Register so that eligible Haitians may apply for protection;
- Employ a presumption against firm resettlement for all newly eligible TPS applicants from Haiti, including those previously deemed firmly resettled by an Immigration Judge. Where applicable, DHS should grant Deferred Enforced Departure (DED) or some other form of deferred action to any Haitian TPS applicant who may ultimately be denied TPS due solely to firm resettlement;
- Reinstate the [Haitian Family Reunification Parole \(HFRP\) Program](#), which allowed certain eligible U.S. citizens and lawful permanent residents to apply for parole for their family members in Haiti who have approved immigrant visa petitions but who cannot reunite with family members due to the years-long backlog in visa processing.
- Establish a mechanism to support Haitians who were unjustly deported in the past few years to Haiti so that they may be reunited with family and receive the protection of which they were deprived.

Sincerely:

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Patrice Lawrence, Co-Director of UndocuBlack Network, Patrice@undocublack.org

ABISA
Adhikaar
African Communities Together
African Diaspora for Good Governance
Al Otro Lado
Alabama Coalition for Immigrant justice
Aldea - The People's Justice Center
Alianza Americas
Alternative Chance
America's Voice
American Friends Service Committee
American Immigration Lawyers Association (AILA)
Americans for Immigrant Justice
Amnesty International USA
AMURT-Haiti
ASISTA
Asylum Seeker Advocacy Project (ASAP)
Black Alliance for Just Immigration
Black LGBTQ+ Migrant Project (BLMP)
Border Network for Human Rights
Brooklyn Defender Services
Broward for Progress
CASA
Catholic Legal Immigration Network, Inc.
Center for Civic Policy
Center for Gender & Refugee Studies
Central American Resource Center of Northern CA - CARECEN SF
Church World Service
Coalition for Humane Immigrant Rights (CHIRLA)
CODEPINK
Colectivo Mujeres Transnacionales
Community Asylum Seekers Project
Community Change Action
Comunidades Unidas
CRECEN
Detention Watch Network
Diaspora Community Services
Disciples Refugee & Immigration Ministries
Education Consultant
Fair Immigration Reform Movement Action (FIRMA)
Faith in New York

Faith in Public Life
Familia: Trans Queer Liberation Movement
Families for Freedom
First Focus on Children
Florida Council of Churches
Florida Immigrant Coalition
Forum on Haitian Migration in the Americas
Friends of Matènwa
FWD.us
Gender Action
Global Justice Clinic, Washington Square Legal Services
Guatemaltecos Sin Fronteras
Haiti Support Group
Haitian Bridge Alliance
Hispanic Federation
Hope Border Institute
Human Rights First
Human Rights Initiative of North Texas
Human Rights Watch
Immigrant Advocacy Network
Immigrant Defenders Law Center
Immigrant Defense Project
Immigrant Law Center of Minnesota
Immigrants Rising
Immigration Hub
Indivisible
Institute for Justice & Democracy in Haiti (IJDH)
International Refugee Assistance Project (IRAP)
International Tribunal of Conscience of Peoples in Movement
Jobs With Justice
Just Futures Law
Just Haiti, Inc.
Justice Action Center
LA RED, Faith in Action
Latin America Working Group (LAWG)
Latinas en Poder
Lawyers Committee for Civil and Human Rights
Lawyers for Good Government (L4GG)
Lula LGBTQ Inc.
Lutheran Immigration and Refugee Service
Mainers for Accountable leadership
Make the Road New Jersey
Make the Road PA
Michigan People's Campaign

Michigan United
Mijente
MoveOn
National Association of Social Workers
National Domestic Workers Alliance (NDWA)
National Immigrant Justice Center
National Immigration Law Center
NETWORK Lobby for Catholic Social Justice
New American Leaders Action Fund
New York County Defender Services
OneAmerica
Oxfam America
PICO California
Piña Soul, SPC
Poder Latinx
Positive Women's Network-USA
Presbyterian Church (U.S.A.)
Presente.org
Priority Africa Network
Progressive Leadership Alliance Of Nevada
Project Blueprint
Quixote Center
RAICES
Refugees International
RITA-Reform Immigration for Texas Alliance
Robert F. Kennedy Human Rights
Rocky Mountain Immigrant Advocacy Network
Service Employees International Union (SEIU)
SPLC Action Fund
Strangers No Longer
Stuart Center JPIC Office
Texas Civil Rights Project
The Advocates for Human Rights
The Bronx Defenders
The Leadership Conference on Civil and Human Rights
U.S. Committee for Refugees and Immigrants
UndocuBlack
Unidos Mn
Unitarian Universalist Service Committee
United Stateless
United We Dream
University of Glasgow
Washington Office on Latin America (WOLA)
We Are Home

Wind of the Spirit Immigrant Resource Center
Witness at the Border
Women's Refugee Commission
Young Center for Immigrant Children's Rights