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THE COUNCIL
OF
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MATHIEU EUGENE
40TH DISTRICT • BROOKLYN

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November 21, 2017

The Honorable Elaine C. Duke
Acting Secretary of Homeland Security
Washington, D.C. 20528

2017 DEC 12 PM 2:12
SCANNED/RECEIVED
BY ESEC SEC

Dear Honorable Acting Secretary Duke:

My name is Mathieu Eugene and I am a Member of the New York City Council where I represent the 40th district in Brooklyn, which is a diverse and thriving part of our nation's greatest city. I know that immigration is a complex and difficult subject that poses many challenges to lawmakers, and citizens alike, but I believe that you and I, and all our nation's lawmakers can work together to create a brighter future for everyone living in the communities we serve. That is why I would like to respectfully ask you to renew Haiti's designation for Temporary Protected Status. In light of the many natural disasters, cholera epidemic, and ongoing challenges that country has faced since it was designated Temporary Protected Status in 2010, renewal is a humanitarian gesture that will help thousands of people.

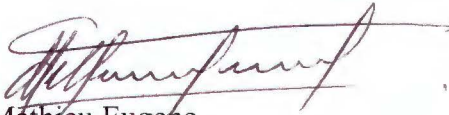
In March of this year I circulated a petition among members of the Haitian-American community, as well as among clergy leaders, labor leaders, and concerned citizens, to show the broad support behind renewing TPS for Haiti. This petition has garnered nearly 30,000 signatures. I have included the signatures as well as brief messages from those who signed the petition in the included flash drive to show you the incredible outpouring of support for TPS.

Since 2010, TPS has allowed thousands of Haitians who fled Haiti because of natural disasters and cannot return because conditions in that country have not improved, to live and work in the United States. The intervening years since 2010 have not been kind to the island nation – and unfortunately its condition has not sufficiently improved to welcome back approximately 58,000 Haitian TPS holders. Southern Haiti was devastated by Hurricane Matthew as recently as October, 2016, and the country was ravaged by a cholera epidemic that has killed thousands of people. Though all in the Haitian community are working to rebuild Haiti

as best as we can, the country is fragile at best, and in most places, the conditions of destruction that prompted TPS in the first place remain stubbornly in place.

Certainly, the fragile economy and limited government infrastructure could not handle the burden of receiving the thousands of Haitians currently residing in the United States under TPS. Haiti simply lacks the infrastructure and resources to provide for this influx of people. Again I urge you to extend TPS for Haitians, a very important humanitarian gesture that will make a real difference to the recovery of Haiti. Thank you for your consideration of the attached petition, and for all of the work you do in service of our great nation.

Respectfully Yours,

A handwritten signature in dark ink, appearing to read 'Mathieu Eugene', with a long horizontal flourish extending to the right.

Mathieu Eugene
Council Member
40th District, Brooklyn



U.S. Citizenship
and Immigration
Services

January 18, 2018

The Honorable Mathieu Eugene
Council Member, 40th District
The Council of the City of New York
250 Broadway, Suite 1789
New York, New York 10007

Dear Council Member Eugene:

Thank you for your November 21, 2017 letter to the Department of Homeland Security. 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 20th announcement of the decision posted on the DHS website, on the USCIS website, and in a notice that was published in the *Federal Register* on January 18, 2018.

Thank you for your letter and interest in this important issue. Should you wish to discuss this further, please do not hesitate to contact me.

Respectfully,

L. Francis Cissna
Director