

October 24, 2006

His Excellency René Garcia Préval
President of Haiti
c/o Embassy of Haiti
2311 Massachusetts Avenue, N.W.
Washington, D.C. 20008

Dear Mr. President:

Many in Haiti as well as the Haitian Diaspora worldwide are asking you to reach beyond what has been done and demand for more: ask President Bush to authorize Department of Homeland Security Secretary Michael Chertoff to grant Temporary Protected Status (TPS) for eighteen months to Haitian nationals presently in the United States. The likelihood of Haiti receiving TPS designation from the Executive Branch would increase should you make a direct request to President Bush.

As you may know, TPS is the statutory embodiment of safe haven for those who may not meet the legal definition of refugee, but are nonetheless fleeing, or reluctant to return to potentially dangerous situations. This concept of safe haven assumes that the host country, in this instance the United States, is the first country in which the fleeing alien arrives safely, or is the country where the alien is temporarily residing when the unsafe conditions occur.

Many countries have been granted TPS designation, currently including Nicaragua, Honduras, El Salvador, Burundi, Somalia, Sudan, and Liberia.

The Nicaraguan, Honduran, and Salvadoran presidents requested TPS after Hurricane Mitch (Nicaragua, Honduras) and earthquakes (El Salvador). The original request, granted in 1999 and 2001, is regularly extended due to incomplete recovery from these disasters. Indeed, conditions similar to the Central American countries mentioned above apply in Haiti with equal or greater force. In my opinion, it is hypocritical not to grant TPS to Haitians.

Obtaining TPS for Haitian nationals in the United States would effectively halt deportations and relevant detentions by granting recipients employment authorization and permission to travel abroad. Traditionally, TPS may be granted for renewable twelve to eighteen month periods under the following conditions: there is ongoing armed conflict posing serious threat to personal safety; a foreign state requests TPS because it temporarily cannot handle the return of nationals due to environmental disaster; or there are extraordinary and temporary conditions in a foreign state that prevent aliens from returning.

Haiti qualifies on two separate grounds: environmental disasters and extraordinary and temporary conditions. Regarding to environmental disasters, any major storm that hits Florida almost always crashes through Haiti first, taking lives and leaving cities already

impoverished from the previous year's storms, further devastated. We just saw a prime example of this with Tropical Depression Ernesto, one of the first major storms of this hurricane season. Two Haitian lives were taken as a result of this major storm. The loss of life in Haiti is all but too common, and unfortunately overlooked, when natural disasters whip through the region.

I certainly acknowledge and heartily congratulate Haiti's shift towards recovery, as seen by the successful democratic elections held earlier this year. However, Haiti and its people are still dealing with day-to-day trauma from environmental, economic and political strife and turmoil.

Another essential argument for you to consider that supports designating Haiti under TPS status: preserving and increasing remittances from the Haitian Diaspora to relatives and communities in Haiti that are key for welfare, survival and recovery.

Haiti is more dependent than any other country on remittances—nearly a billion dollars a year—sent home by Haitians in the United States. Remittances to Haiti far exceed foreign aid. It is widely known that Haitians residing in the United States often work three jobs to send money back to Haiti each month.

On May 24, 2005, I introduced a bill in the House of Representatives to officially designate Haiti as eligible for TPS. Although the bill has not passed, I have been able to garner increased support from my colleagues. I still maintain hope that one day the legislation will pass. However, in the meantime, I ask that you not let this opportunity to help Haiti and the Haitian Diaspora pass us by.

It is my belief, along with the Haitian Diaspora in the United States, that President Bush should treat Haitians equally to Nicaraguans, Hondurans, and Salvadorans whose deportations are suspended and who are allowed to work and support their families back home. You must ask President Bush to grant Haitians TPS so that Haiti can finally have a chance for sustained prosperity.

For your reference, I have included a letter from the Department of Homeland Security addressed to me concerning TPS for Haitian nationals. Also included is an article from the Florida newspaper, The Sun Sentinel, detailing the astounding effects of Diaspora remittances on the lives of Haitians in Haiti as well as the recommendation that you make a direct request to President Bush, on behalf of Haitian nationals in the United States.

Your Excellency, I will gladly assist you in this endeavor in every way. Please do not hesitate to contact me or Audrey Nicoleau of my staff at 202-225-1313. I look forward to your response regarding this matter.

Sincerely,

Alcee L. Hastings
Member of Congress