

# Congress of the United States

Washington, DC 20515

March 18, 2024

The Honorable Antony J. Blinken  
Secretary of State  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520

The Honorable Alejandro Mayorkas  
Secretary of Homeland Security  
U.S. Department of Homeland Security  
301 7th Street, SW  
Washington, DC 20528

Dear Secretaries Blinken and Mayorkas,

We write to urge you to redesignate Haiti for Temporary Protected Status (TPS), which offers temporary relief from removal and access to work permits for eligible foreign nationals who are unable to return safely to their home country. We also request that you halt all deportations to Haiti until conditions in the country improve. Armed gangs control much of Haiti's territory, including the capital city of Port-au-Prince. This exposes people living in Haiti to pervasive human rights abuses, including killings, kidnappings, and sexual violence. Returning Haitians now present in the United States would expose them to extreme danger and life-threatening conditions. TPS for Haitians and a cessation of deportation flights to Haiti are therefore urgently warranted.

Haiti is in a state of security and humanitarian crisis that has forced many Haitians to flee. Haiti did not constitutionally appoint Prime Minister Ariel Henry and has not held elections since 2017.<sup>1</sup> Now that Prime Minister Henry has yielded to public pressure and announced his intention to resign after the formation of a transitional council, Haiti is likely to experience a period of continued instability as interim leadership begins to facilitate elections.

This instability is exacerbated by the presence of armed gangs throughout Haiti. Lacking democratic legitimacy, the Henry government ceded control to these gangs, which now control approximately 80 percent of Port-au-Prince and have significant presence across the country.<sup>2</sup> Recently, Prime Minister Henry was unable to return to Haiti because of gang assaults on Port-au-Prince's Toussaint Louverture International Airport.<sup>3</sup> These gangs are contributing to a rise in

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<sup>1</sup> U.S. Dep't of State, Bureau of Democracy, Human Rights, and Labor, Haiti Human Rights Report at 1 (2022) (hereinafter "Haiti Human Rights Report"), <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/haiti>.

<sup>2</sup> Associated Press, *Gangs in Haiti Try to Seize Control of Main Airport in the Newest Attack on Government Sites*, Politico (Mar. 4, 2024) <https://www.politico.com/news/2024/03/04/gangs-in-haiti-try-to-seize-control-of-main-airport-in-newest-attack-on-government-sites-00144796>.

<sup>3</sup> Simon Romero & Maria Abi-Habib, *Haiti Engulfed by Crisis as Gangs Press Prime Minister to Step Down*, N.Y. Times (Mar. 6, 2024), <https://www.nytimes.com/2024/03/06/world/americas/haiti-gangs-prime-minister.html>.

crime across Haiti. Kidnappings and homicides reached their highest recorded rate in 2023;<sup>4</sup> the number of reported homicides for 2023 more than doubled that of 2022;<sup>5</sup> and rates of child abduction also spiked in 2023.<sup>6</sup>

These gangs, operating with impunity, have also weaponized sexual violence to inflict pain and fear to expand their influence. The United Nations Integrated Office on Haiti and the Office of the High Commissioner for Human Rights found that most armed gangs “deliberately use sexual violence against local populations as a means to expand and consolidate their control over certain areas.”<sup>7</sup> We are deeply concerned about the risk of gender-based and sexual violence that deporting people to Haiti would create.

TPS provides protection to foreign nationals in the United States whose home countries are experiencing temporary and extraordinary conditions, including armed conflict, natural disasters, and other extraordinary conditions that render return unsafe.<sup>8</sup> TPS has been granted for countries such as Afghanistan, Burma, Cameroon, Sudan, and Ethiopia, where human rights abuses have prevented a safe return home.<sup>9</sup> The United States has previously paused deportation flights amid ongoing humanitarian crises in countries such as Russia, Ukraine, Belarus, Georgia, Hungary, Moldova, Poland, Romania, and Slovakia.<sup>10</sup>

Approximately 731,000 Haitian-born people live in the United States.<sup>11</sup> The escalation of the grave danger Haitians face in their home country fully satisfies the requirements for a TPS redesignation and a pause on all deportation flights to Haiti. Both of these steps are necessary to ensure that the United States does not return Haitian nationals to a government incapable of protecting its citizens — often subjecting them to repression and violence — and gangs that brutally victimize residents and operate without restrictions. Due to the quickly worsening gang violence in Haiti, the uncertain political future following Prime Minister Henry’s resignation announcement, and the lack of accountability for human rights violations, we urge you to extend

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<sup>4</sup> Sophie Rutenbar, *Haiti’s struggle for safety and security will intensify in 2024*, Brookings (Jan. 24, 2024), <https://www.brookings.edu/articles/haitis-struggle-for-safety-and-security-will-intensify-in-2024/>.

<sup>5</sup> U.N. Integrated Office in Haiti — Report of the Secretary General, ¶11, U.N. Doc. S/2024/62 (Jan. 15, 2024), <https://reliefweb.int/report/haiti/united-nations-integrated-office-haiti-report-secretary-general-s202462-enarruzh>.

<sup>6</sup> Press Release, Kidnappings of Children and Women Spiking at Alarming Rates in Haiti, UNICEF (2023) <https://www.unicef.org/press-releases/kidnappings-children-and-women-spiking-alarming-rates-haiti>.

<sup>7</sup> Sexual Violence in Port-au-Prince: A Weapon Used by Gangs to Instill Fear, U.N. Office of the High Commissioner on Human Rights at 9 (Oct. 14, 2022), <https://www.ohchr.org/sites/default/files/2022-10/20221014-Report-on-Sexual-Violence-haiti-en.pdf>.

<sup>8</sup> 8 U.S.C. § 1255.

<sup>9</sup> Jill H. Wilson, *Temporary Protected Status and Deferred Enforced Departure*, Congressional Research Serv. (updated July 28, 2023), [https://www.everycrsreport.com/files/2023-07-28\\_RS20844\\_98441e067ca6016e66ac8f3323ba1cd862fec999.pdf](https://www.everycrsreport.com/files/2023-07-28_RS20844_98441e067ca6016e66ac8f3323ba1cd862fec999.pdf).

<sup>10</sup> Camilo Montoya-Galvez, *U.S. Suspends Deportations to Ukraine, Russia and 7 Other European Countries, Citing “Humanitarian Crisis,”* CBS News (Mar. 3, 2022), <https://www.cbsnews.com/news/ukraine-russia-ice-deportations-suspended/>.

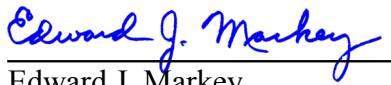
<sup>11</sup> Beatrice Dain & Jeanne Batalova, *Haitian Immigrants in the United States*, Migration Policy Institute (Nov. 8, 2023), <https://www.migrationpolicy.org/article/haitian-immigrants-united-states>.

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The Honorable Alejandro Mayorkas  
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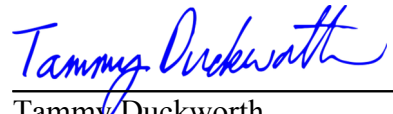
and redesignate TPS for Haiti and use your discretion to halt deportation flights to the country. These actions will prevent further suffering and unnecessary loss of life.

Thank you in advance for your attention to this matter.

Sincerely,



Edward J. Markey  
United States Senator



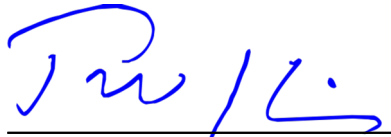
Tammy Duckworth  
United States Senator



Sheldon Whitehouse  
United States Senator



Chris Van Hollen  
United States Senator



Tim Kaine  
United States Senator



Bernard Sanders  
United States Senator



Elizabeth Warren  
United States Senator



Kirsten Gillibrand  
United States Senator



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Amy Klobuchar  
United States Senator



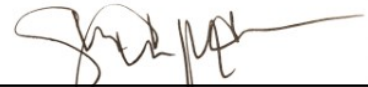
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Tina Smith  
United States Senator



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Ayanna Pressley  
Member of Congress



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Sheila Cherfilus-McCormick  
Member of Congress



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Raphael Warnock  
United States Senator



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Richard J. Durbin  
United States Senator



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



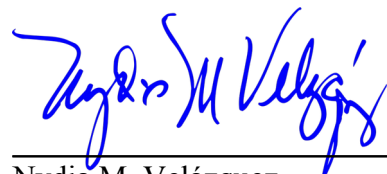
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Troy A. Carter, Sr.  
Member of Congress



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Sydney Kamlager-Dove  
Member of Congress



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Nydia M. Velázquez  
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Rashida Tlaib  
Member of Congress




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Delia C. Ramirez  
Member of Congress



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Maxine Waters  
Member of Congress



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Donald M. Payne, Jr.  
Member of Congress



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Frederica S. Wilson  
Member of Congress



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Pramila Jayapal  
Member of Congress



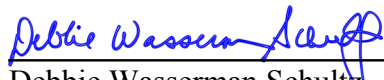
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Eleanor Holmes Norton  
Member of Congress



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Robert Garcia  
Member of Congress



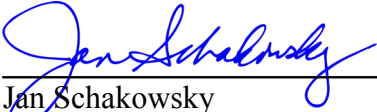
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Debbie Wasserman Schultz  
Member of Congress



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Laphonza Butler  
United States Senator



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Jan Schakowsky  
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Barbara Lee  
Member of Congress



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Maxwell Alejandro Frost  
Member of Congress



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Jeffrey A. Merkley  
United States Senator



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Jesús G. "Chuy" García  
Member of Congress



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Cori Bush  
Member of Congress



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Mark R. Warner  
United States Senator



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Lois Frankel  
Member of Congress



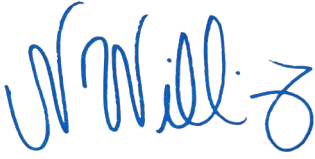
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David J. Trone  
Member of Congress



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James P. McGovern  
Member of Congress



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Nikema Williams  
Member of Congress



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Adriano Espaillat  
Member of Congress



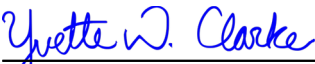
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Lauren Underwood  
Member of Congress



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Dina Titus  
Member of Congress



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Yvette D. Clarke  
Member of Congress



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Darren Soto  
Member of Congress



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Seth Moulton  
Member of Congress



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Grace Meng  
Member of Congress



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Cory A. Booker  
United States Senator



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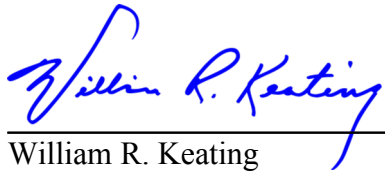
Mazie K. Hirono  
United States Senator



Gabe Amo  
Member of Congress



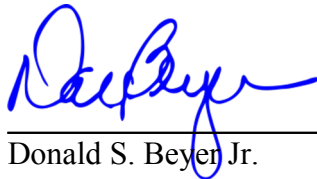
Marc A. Veasey  
Member of Congress



William R. Keating  
Member of Congress



Dan Goldman  
Member of Congress



Donald S. Beyer Jr.  
Member of Congress



Benjamin L. Cardin  
United States Senator



Ro Khanna  
Member of Congress



Jamaal Bowman, Ed.D.  
Member of Congress



Tony Cárdenas  
Member of Congress



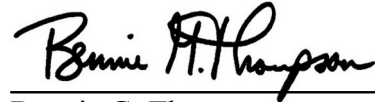
Veronica Escobar  
Member of Congress





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Greg Casar  
Member of Congress



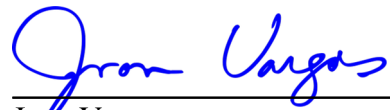
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Bennie G. Thompson  
Member of Congress



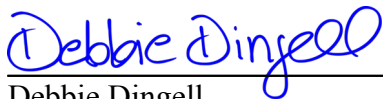
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Andy Kim  
Member of Congress



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Juan Vargas  
Member of Congress



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Debbie Dingell  
Member of Congress



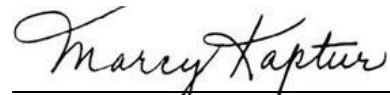
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Peter Welch  
United States Senator



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Alex Padilla  
United States Senator



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Marcy Kaptur  
Member of Congress



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Sheila Jackson Lee  
Member of Congress