

United States Senate

WASHINGTON, DC 20510

October 7, 2021

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
245 Murray Lane, S.W.
Washington, D.C. 20528

The Honorable Antony J. Blinken
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Secretary Mayorkas and Secretary Blinken,

We write to add our names to the groundswell of voices expressing outrage and disappointment over the cruel treatment of Haitians at our border, and their summary deportations. The new Temporary Protected Status designation for Haiti came into effect on 3 August, just weeks before the 14 August earthquake. At the time, Secretary Mayorkas stated that the country was “experiencing serious security concerns, social unrest, an increase in human rights abuses, crippling poverty, and lack of basic resources.” The conditions in Haiti post-earthquake and post-August 3 are far worse than when the designation came into effect. We lament Special Envoy Foote’s resignation at this critical time and underscore the need for a new appointment. We also call on the administration to establish a reintegration program for returnees, and to work with partners in the region to ensure that Haitians living outside of their homeland are afforded access to protection, assistance, and information about their rights. In addition, we ask that you ensure that Haitians presenting at the border are able to apply for asylum. Lastly, we call on the administration to help lay a foundation for Haiti to emerge from its constitutional crisis through fulsome consultation with and support for a political dialogue with a broad range of civil society and political actors.

Haiti is attempting to recover from a “triple tragedy of natural disasters, gang violence, and the COVID-19 pandemic,” according to Henrietta Fore, Executive Director of the United Nations Children’s Fund (UNICEF). At least 2,200 people died in the 14 August earthquake and 650,000 people need humanitarian assistance, according to the United Nations. The earthquake damaged and destroyed 138,000 homes, 900 schools, and 62 healthcare facilities. Before the earthquake, the UN estimated that at least 650,000 people in Haiti were affected by gang-related displacement. Their needs remain largely unmet. At least 10 percent of the Haitian population is in need of food assistance, according to the Famine Early Warning Systems Network (FEWSNET). Haiti became the last country in the Americas to receive a shipment of a COVID-19 vaccine. To date, the government has vaccinated less than 1 percent of the population.

On July 7, 2021, Haiti's President, Jovenel Moise was brutally murdered. His assassination has rocked the foundation of the hemisphere's second oldest democracy. The country's long-standing political crisis has deepened amidst power struggles, including recent allegations that the Acting Prime Minister may be linked to the assassination plot. Prospects for elections this year are dim. The recent unilateral drafting and introduction of a new constitution, without the appropriate consultation process, threatens to further derail prospects for peace in Haiti. In the meantime, the nation's hollowed-out institutions are wholly unable to deliver basic services or provide any semblance of citizen security. Large portions of the country remain outside of the government's control.

Our neighbors in the region responded generously to U.S. calls for solidarity with the Haitian people in the wake of the 2010 earthquake. Many countries offered Haitians humanitarian visas and enabled access to livelihoods that allowed migrant workers to sustain themselves and support their communities back in Haiti. These remittances served as a lifeline for Haiti. But the COVID-19 pandemic had a deleterious impact on the region's most vulnerable populations, including Haitian migrants in South America. After nearly a decade of working outside of Haiti, many suddenly found themselves without jobs and in urgent need of assistance. They also found themselves inspired by the hope and promise of opportunity in the United States. Many, misunderstanding the eligibility criteria for Temporary Protected Status, made their way to our border, enduring perilous journeys, devastating losses, and unknown risks.

When they finally arrived at Del Rio, Texas, many Haitians, including family groups with children who had never even been to Haiti, were summarily expelled and deported without best interest determinations for children or screenings for international protection concerns. Over the course of our lifetimes, our Haitian brothers and sisters have endured dictatorships, constitutional crises, food insecurity, pandemics, natural disasters, forced displacement, the assassination of their President, and the criminal takeover of their communities. Their resilience is unparalleled and our communities in the United States have flourished as a result of the presence of Haitian immigrants and their American children.

Ensuring the integrity of U.S. borders is of utmost importance, and is not incompatible with the fundamental duty to respect the dignity, humanity, and rights of all individuals seeking entry to the United States. We reiterate our call for the Biden administration to act swiftly in appointing a new Special Envoy for Haiti, and to work with our international partners throughout the region to find immediate solutions that places the protection needs of Haitian migrants and the long-term stability of Haiti at the core of our approach. Ultimately, this will require our support for a Haitian-led solution that incorporates the views and recommendations of a broad range of political parties and civil society.

Sincerely,



Robert Menendez
United States Senator



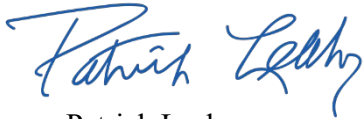
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