

EXHIBIT 70

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(U//SBU) Haiti: Temporary Protected Status Recommendation

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INFO: ROUTINE CIA WASHINGTON DC,DIRNSA FT GEORGE G MEADE MD,ZEN/NGA WASHINGTON DC,ZEN/DA AMHS WASHINGTON DC,ZEN/DEPT OF HHS WASHINGTON DC,ZEN/SECDEF WASHINGTON DC,ZEN/HQ ICE INTEL WASHINGTON DC,ZEN/HQ ICE ERO WASHINGTON DC,ZEN/JOINT STAFF WASHINGTON DC,ZEN/DEPT OF HOMELAND SECURITY WASHINGTON DC

(U//SBU) E.O. 13526: N/A

SUBJECT: Haiti: Temporary Protected Status Recommendation

The U.S. Mission to Haiti submits the following recommendation for extension of the Temporary Protected Status (TPS) designation for Haiti:

I. Statutory Basis for Designation

Have the conditions under which the foreign state was designated for temporary protected status ceased to exist?

A. Armed conflict

1. Is the foreign state currently involved in an ongoing, internal, armed conflict?

(U) No.

a. If so, would the return of nationals of the foreign state to that state (or to the part of the state) pose a serious threat to their personal safety?

(U) N/A

B. Environmental Disaster

1. Has the foreign state experienced extraordinary and temporary conditions that prevent aliens who are nationals of the state from returning to the state in safety?

(SBU) Yes. Country conditions and GOH capacity have improved sufficiently to absorb the return of a moderate flow of Haitian nationals. However, Haiti continues to be affected by lingering earthquake damage. The earthquake destroyed virtually all government offices and ministries in downtown Port-au-Prince, leaving most in in long-term temporary facilities spread throughout the city.

(SBU) In addition, the GOH capacity for migrant reception remains low, and it would be very difficult for the GOH to absorb the 59,000 Haitians currently residing in the United States under TPS over a short amount of time.

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(SBU) Throughout Haiti, country conditions have improved, but remain generally poor. While the institutional capacity of the GOH to respond adequately to the lingering effects of the earthquake remains weak, the U.S. government has worked toward strengthening the Haitian civil service and government service delivery. For example, there have been some improvements in access to primary education, resulting in a noticeable increase in participation rates of school-aged children from 79 to 87.3 percent. However, only 29.5 percent of school-aged children are enrolled, and the quality of education remains a challenge.

(SBU) Gender-based violence in the remaining IDP areas remains a serious concern, and personal security is a serious and pervasive problem. Despite efforts by the Haitian authorities and the international community to address these concerns, lingering effects of infrastructure damage to housing in Haiti as a result of the earthquake remain. Some of those who were displaced have moved back to unsafe homes, begun reconstruction of damaged homes without assistance or guidance, or relocated to informal settlements located in other hazardous areas.

(SBU) With more than 98 percent of Haitians exposed to two or more types of disasters (floods, landslides, droughts, earthquakes and hurricanes), the impact of recurring natural disasters is particularly severe, especially considering the already pre-existing security, socio-economic and environmental vulnerabilities and disparities. With more than a half of its total population living in extreme poverty, Hurricane Matthew demonstrated Haiti's weakened ability to cope, recover and adapt to shocks from natural disasters. Meanwhile, as a result of electoral-related tensions, politically motivated demonstrations and insecurity have affected the humanitarian operating environment. At the same time, the international humanitarian presence has decreased in the field due to downward funding trends.

(SBU) With the withdrawal of the United Nations Stabilization Mission in Haiti (MINUSTAH) military component underway, the Haitian National Police (HNP) will be called upon to shoulder increased responsibility for maintaining order throughout the country. However, the HNP remains highly concentrated in Port-au-Prince and has limited resources, challenging its ability to guarantee security throughout the country. The United States and our international partners continue to work to train and support the development and growth of the HNP, which has been increasingly perceived as professional and capable of providing security. Thanks to this assistance, the HNP almost met its five-year development plan goal of 15,000 officers on the force, allowing it to assume a greater responsibility for security ahead of MINUSTAH's closure on October 15, 2017.

(SBU) Haiti has been regularly receiving small groups (about 30 per month) of criminal deportees from the United States. Following the resumption of much larger noncriminal deportations to Haiti in November 2016, the GOH has also received over 4,500 noncriminal deportees. The GOH continues to receive weekly flights of between 50 and 100 noncriminal deportees a level which stretches its resources to maintain secure and orderly reception program. It has so far just managed to provide the minimal levels of security and assistance upon each flights arrival.

(SBU) Overall, based on the experience Haiti has had with the weekly flow of noncriminal deportees, it lacks the adequate infrastructure, health, sanitation services, and emergency response capacity necessary to ensure the personal safety of a large number of TPS returnees in tandem with this current flow of noncriminal deportations.

2. Would permitting nationals of the foreign state to remain temporarily in the United States be contrary to the national interest of the United States?

(SBU) With regard to this specific population, no. Current TPS beneficiaries have been in status in the United States for six or seven years. The population has been stable and successfully settled there. The current practice of returning newly arrived migrants via the resumed noncriminal deportations has

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greatly disincentivized new attempts at illegal migration in the hopes that TPS will be re-designated once more in the past, a significant pull factor. The broader question of whether such continued presence fits overall national immigration policy priorities is beyond posts scope to address.

II. Discretionary Factors

What, if any, additional information relevant to this decision should be brought to the attention of the Department of Homeland Security?

(SBU) As mentioned, following the determination to extend TPS for Haiti for an additional six months, the GOH has appealed for a further extension of TPS for its nationals in the United States, given the immediate and drastic impact a termination could have on the countrys economic well-being and political stability.

III. Recommendation

(SBU) Extending TPS for Haiti is in the U.S. national interest. At this time, the GOH is not capable of facilitating the reabsorption of the 59,000 Haitians currently holding TPS in the United States in a time frame of less than several years. Lingering issues from the 2010 earthquake, additional effects of the cholera epidemic, and the aftermath of Hurricane Matthew exacerbate this concern, and a termination of TPS for Haiti would threaten the countrys ability to make needed progress across numerous sectors. Based on these factors, we recommend that TPS for Haiti be renewed.
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