

EXHIBIT

1

Jones, Eric

From: Norman, Jon A Maj Gen USAF SOUTHCOM SC-CC (US) [REDACTED]
Sent: Thursday, November 16, 2017 4:34 PM
To: Jones, Eric
Subject: RE: Temporary Protective Status (TPS) for Haitians in the US (UNCLASSIFIED)
Signed By: [REDACTED]

CLASSIFICATION: UNCLASSIFIED

Eric,

Thank you very much for the opportunity to provide input; Secretary Duke will find the input below is consistent with the discussion she and ADM Tidd had earlier this week.

USSOUTHCOM INPUT:

(U//FOUO) The impact of removing Haiti from TPS is unlikely to affect SOUTHCOM contingency plans or operations. However, it may have near and long term repercussions for Haitian stability. In the near term, the removal of an estimated 59,000 Haitians from the US may place considerable additional stress on the Government of Haiti (GOH) and the social services of the country. Current conditions and GOH capacity have improved sufficiently to absorb the return of a moderate flow of Haitian nationals, but a large return would likely overwhelm a fragile government system and infrastructure. The GOH continues to receive weekly flights of between 50 and 100 noncriminal deportees, and even this moderate number is a level that stretches its resources to maintain a secure and orderly reception program. The return of a large number of citizens may place additional security stress upon the Haitian government, which is contending with rising crime and violence exacerbated by the security vacuum created by the withdrawal of MINUSTAH. MINUSTAH's departure also reduces Haiti's ability to respond to disasters; increased humanitarian challenges in the aftermath of hurricanes and other potential future disasters, combined with the effects of lifting TPS, could compound security challenges and exacerbate drivers of illegal migration. The Haitian National Police (HNP) has been called upon to shoulder increased responsibility for maintaining order throughout the country, but its ability and capacity to contend with security challenges remain in question. In the long term, a mass migration event is not anticipated, although the return of a large number of Haitian citizens may spur increased illegal migration flows. Electoral-related tensions, politically motivated demonstrations, and insecurity negatively affect the humanitarian environment in Haiti, and further stresses on the environment increase the risk of triggering an event that necessitates an external intervention to establish order and stability.

//signed/jn//

Jon Norman, Maj Gen, USAF

Chief of Staff
US SOUTHERN COMMAND

-----Original Message-----

From: Jones, Eric [REDACTED]
Sent: Wednesday, November 15, 2017 10:04 AM
To: Norman, Jon A Maj Gen USAF SOUTHCOM SC-CC (US)
[REDACTED]
Cc: [REDACTED]; Nealon,
James [REDACTED]
Subject: [Non-DoD Source] Temporary Protective Status (TPS) for Haitians in
the US

Good morning Jon,

As mentioned during her meeting with ADM Tidd on Monday, Acting Homeland Security Secretary Duke will be making a decision regarding the termination of TPS for Haitians in the US on or before the deadline of the current extension of 23 Nov. One option she is contemplating is to terminate, but give an extension of 6, 12, or 18 months for Haiti to prepare to receive Haitian expats. As such, she would like any input SOUTHCOM has on the potential impact/points of consideration to MilOps, TSC, U.S.-Haitian relations, or other areas of SOUTHCOM interest.

I apologize for the short suspense, but if possible she would like any input you have by early in the afternoon on Friday.

Obviously, please limit distribution of this pre-decisional information.

Thanks in advance; please let me know if you have any questions.

v/r

Eric

Rear Admiral Eric C. Jones, USCG

Military Advisor to the Secretary

Office of the Secretary

U.S. Department of Homeland Security

CLASSIFICATION: UNCLASSIFIED



EMBASSY OF THE REPUBLIC OF HAITI
WASHINGTON, DC

October 4, 2017

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

Dear Secretary Duke,

Please accept this correspondence in response to the letter from your Department dated September 8, 2017. I want to thank you for your Department's continued collaboration with the Haitian Government in addressing Haiti's Temporary Protected Status (TPS) designation. The Haitian Government is committed to working with the United States to reach a mutually beneficial resolution on this very important issue. Towards that end, the Haitian Government is of the sincere opinion that an extension for an additional eighteen (18) months or a TPS re-designation will serve the shared national interests of both Haiti and the United States.

As the two oldest republics in the Western Hemisphere, we have a long history of collaborating to further our shared values and national interests. Our request for an extension of the TPS designation for an additional eighteen (18) months is meant to ensure that Haiti is able to adequately move forward with its recovery and redevelopment plan and will not have to rely, over the long term, on the United States for temporary residence for its citizens.

We believe that the best way for us to convey our reasoning behind our request for an additional eighteen (18) months extension of the TPS designation is to show you the facts on the ground. Therefore, my Government is extending an invitation to host you in Haiti so that you can personally see the efforts underway to address the issues that warranted TPS designation for Haiti in the first place. Moreover, a visit to Haiti would offer you insight on the challenges that we continue to face. We sincerely believe that once you see the conditions on the ground, it will become clear that an additional eighteen (18) months extension or re-designation is in the shared national interests of both Haiti and the United States. We respectfully suggest that the visit occur no later than the first week of November so that you have sufficient time to assess the situation on the ground before making a decision on TPS for Haitians.

Haiti has undergone a catastrophic and unprecedented series of natural disasters during the last seven years. As you know, the TPS designation for Haiti originated in the aftermath of the January 2010 earthquake that devastated the country, leaving at least 300,000 people dead and more than one million of our citizens internally-displaced. Subsequently, United Nations soldiers introduced a cholera epidemic that killed thousands of people, sickened over 800,000

and that continues to pose a healthcare risk to our citizenry. Valuable resources initially earmarked for addressing critical earthquake recovery issues had to be re-appropriated to eradicate this epidemic, with limited support from the United Nations, the entity that brought the disease to Haiti in the first place. To add to the devastation, on October 4, 2016, Hurricane Matthew, a Category 4 with 145 mph winds and the worst to strike our nation in 52 years, raged through Haiti, destroying over 200,000 homes, wiping out towns, entire villages, and destroying valuable crops. This caused a severe food crisis of unparalleled magnitude in Haiti's history. The economic loss from Hurricane Matthew alone was estimated at 2.8 billion dollars. As a result of these three extraordinary recent catastrophes, in May 2017, we requested an extension of the TPS designation for an additional eighteen (18) months to allow the Haitian Government more time to implement its ongoing recovery and redevelopment plan.

When former Secretary John Kelly announced a six-month extension of Haiti's TPS designation through January 22, 2018, he stated that, "if Haiti is able to continue its pace of recovery from the 2010 earthquake, then a TPS extension past January 2018 may not be warranted." However, despite best efforts and tangible progress, unforeseen natural disasters, including Hurricanes Irma and Maria, have significantly delayed the Government's ability to adequately maintain the pace of recovery from the 2010 earthquake. Therefore, the Haitian Government contends an 18-month extension or a TPS re-designation is necessary for Haiti to continue on the path of progress.

Since our last request, our ongoing efforts to continue to recover from the earthquake and from the ravages of the cholera epidemic and Hurricane Matthew have been hampered by significant setbacks, as Haiti continued to face unforeseeable and daunting challenges. In the past month, both Hurricanes Irma and Maria have caused serious damage in Haiti. A substantial amount of agricultural crops have been destroyed and communities have been flooded, which has resulted in the further displacement of local communities. Additionally, the impact of the most recent hurricanes on neighboring island countries, such as Turks and Caicos, has caused significant harm to the Haitian economy. As you may know, Haiti's economy relies heavily on the contribution of its Diaspora. A substantial proportion of the labor force in many neighboring islands that were affected by Hurricanes Irma and Maria is of Haitian descent. As many of these countries struggle to rebound from these hurricanes, Haitians expatriates working there have found themselves unable to support their families back home, further complicating Haiti's recovery process and delaying the ability of the country to place itself back in the position that it was in prior to the 2010 earthquake.

As noted in your Department's letter, a statutory basis required to designate a country for TPS is that "there has been an environmental disaster resulting in a substantial, but temporary, disruption of the living conditions in the area affected, the country is temporarily unable to handle adequately the return of its nationals, and the country has officially requested TPS designation." Unfortunately, Haiti has had three such major blows since 2010. The detrimental impacts of the recent hurricanes have complicated our ability to recover from the 2010 earthquake, cholera, and Hurricane Matthew within the projected timeline and have exacerbated the situation on the ground, resulting in major disruptions of living conditions in the short-term. Given the current circumstances on the ground and based on the statutory

guidelines, an extension or re-designation of TPS for Haitians is fully warranted and would serve the mutual national interests of both countries.

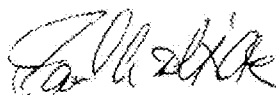
Back in May, your Department's TPS determination stated that "permitting Haitian nationals to continue residing temporarily in the U.S. is not contrary to the national interest of the United States". Since then, we have not received any subsequent communication from the USG that these conditions changed. Our research, as well as our conversations with U.S. law enforcement and elected officials representing districts and states where Haitian TPS recipients reside, has shown that our nationals have been exemplary law-abiding residents and pose no threat to the security of the United States or its people. Moreover, Haitian TPS recipients have not constituted a financial burden on U.S. taxpayers. Rather, Haitian TPS recipients have made significant economic contributions to their communities here in the United States as acknowledged publicly by Congressional Leaders, from the Democratic and Republican side, as well as Mayors, Governors and business leaders.

At this precarious juncture, an 18-month extension or a TPS re-designation beyond January 2018 is a necessity. Not extending TPS beyond January 2018 would force the Government of Haiti not only to halt its ongoing, short-term redevelopment efforts, but also to focus its limited resources on receiving an influx of citizens. Under these circumstances, we fear that a non-renewal may cause TPS beneficiaries to find alternative, and ill-advised, ways to remain in the United States, and would also embolden trans-national human traffickers and cartels to prey upon this group of vulnerable individuals; such an outcome would not be in the best interests of either of our governments.

In the interim, the Haitian Government is diligently working to put the country back on a trajectory towards a swift recovery. The current leadership in Haiti is in the process of implementing a robust and expansive recovery and redevelopment plan. The plan includes enhancing our infrastructure, increasing private investment and incentivizing economic growth. The redevelopment plan is meant not only to significantly improve the lives of Haitians at home, but also to encourage the return of those living overseas to contribute in the long-term sustainability and economic prosperity of our country.

In the spirit of the long shared-history of our two nations, I thank your Department for the continued dialogue with the Government of Haiti on this important matter. I look forward to hearing back from you regarding a suitable date to host you in Haiti.

Sincerely,



Paul G. Altidor
Ambassador

EMBASSY OF THE REPUBLIC OF HAITI
WASHINGTON, DC

November 8, 2017

MEMORANDUM FOR: U.S. Department of Homeland Security (DHS)

FROM: Embassy of the Republic of Haiti in Washington, DC

SUBJECT: Extension of the Temporary Protected Status (TPS) for Haitian Nationals

The Government of the Republic of Haiti is pleased to submit this memorandum to the attention of the United States Department of Homeland Security (DHS) in support of the extension of the Temporary Protected Status (TPS) program for Haitian nationals. As stated in its most recent letter to the Acting DHS Secretary, the Honorable Elaine C. Duke, the Haitian Government is requesting an extension of TPS because the conditions in the country that warranted the initial TPS designation persist. This memo lays out the totality of the circumstances, as it exists in Haiti which is relevant under the TPS calculations. This extension request is meant to ensure that Haiti is able to adequately move forward with its recovery plans from the earthquake and will not have to rely, over the long term, on the United States as a temporary haven for its citizens.

Over the last seven years, the Haitian people have faced a series of unprecedented natural disasters that resulted in extraordinary and temporary conditions warranting the granting of TPS. Given the current circumstances, Haiti unquestionably meets the extension or re-designation criteria under the TPS statute. Section 244(b)(1)(B)(i) of the Immigration and Nationality Act states "TPS may be designated, re-designated, or extended if the Attorney General finds that there has been an earthquake, flood, drought, epidemic, or other environmental disaster in the state resulting in substantial, but temporary, disruption of living conditions in the area affected" and Section 244(b)(1)(C) states that a designation is warranted when "the Attorney General finds that there exist extraordinary and temporary conditions in the foreign state that prevent aliens who are nationals of the state from returning to the state in safety, unless the Attorney General finds that permitting the aliens to remain temporarily in the United States is contrary to the national interests of the United States."

The following facts, based on the current conditions on the ground, demonstrate that Haiti indisputably meets the criteria for (re)designation or renewal of TPS under the existing statute:

1. **Earthquake and internally displaced population:** On January 12, 2010, an earthquake killed over 250,000 people in Haiti. Moreover, it left more than two million Haitians internally displaced according to a report by the Global Justice Clinic of the New York University School of Law. While the Government of Haiti has made significant progress in ensuring that a substantial number of the internally displaced are adequately housed, thousands of Haitians still, unfortunately, remain displaced as a result of the earthquake. As of September 2017, close to

40,000 of those displaced by the earthquake were still in displacement. An extension of TPS would enable the Haitian Government to adequately house the remaining internally displaced people without an immediate addition of up to 50,000 Haitian nationals who could be repatriated as a result of the TPS expiration.

2. **Additional natural disasters since the earthquake:** In addition to the earthquake, Haiti has suffered from a succession of natural disasters that have worsened the conditions that justified the TPS designation in the first place. In October 2016, Hurricane Matthew, a category 4 storm and the worst to strike Haiti in over 52 years, ravaged Haiti and its economy. As a result, the country faces challenges equal to those it faced in the aftermath of the earthquake. Since the last TPS extension in May of this year, the country's ongoing efforts to continue to recover from the earthquake and from the ravages of the cholera epidemic and Hurricane Matthew have been hampered by other disasters. Both Hurricanes Irma and Maria, which struck in September 2017, have caused serious damage in Haiti, including the destruction of agricultural crops and further displacement of the population. The detrimental impact of Irma and Maria have complicated the ability of Haiti to truly recover from the 2010 earthquake, cholera, and Hurricane Matthew within the previously projected timelines and have exacerbated the situation on the ground, resulting in major disruptions of living conditions in the short-term.
3. **Cholera epidemic:** As of November 1, 2017, it is well documented that Haiti suffered the worst cholera epidemic in over a century. Introduced to Haiti by United Nations soldiers, the cholera epidemic killed thousands of people, sickened over 800,000 and continues to pose a healthcare risk to Haiti's citizenry. Certainly Haiti, despite limited resources, has made a lot of progress in dealing with cholera but it will take years to overcome the consequences of the epidemic in the post-recovery efforts. In a recently published report, the Global Justice Clinic states that "in 2016, Haiti was home to nearly one in three cases of cholera worldwide." Such assessment is further proof of the magnitude of the vulnerable conditions that the population faces as a result of the epidemic. Moreover, the United Nations has projected that 30,000 people in Haiti will fall ill with cholera by the end of 2017. After Hurricane Matthew, the monthly number of suspected cholera cases more than doubled. Hurricane Matthew not only worsened the cholera epidemic, but also has impeded progress on the necessary infrastructure development to keep Haitians safe from cholera. Unfortunately, critical financial resources initially earmarked to address earthquake-related matters had to be reallocated to resolve the cholera issue. The Haitian Government needs more time to effectively address cholera; today it is focused increasingly on long-term control efforts, such as improving the water and sanitation systems necessary to provide a durable cholera solution.
4. **Drought and flooding:** Between 2012 and 2015, Haiti's food security showed overall improvement, but food security declined rapidly from 2015 to 2016 due to natural disasters. In 2016, Hurricane Matthew hit one of Haiti's key food-producing areas, affecting two million people and killing more than 350,000 farm animals. Entire towns were wiped out, and many of the roads and other infrastructure repairs that the Government of Haiti initiated as part of the recovery process since the earthquake were either destroyed or severely damaged. Hurricanes Irma and Maria skirted north of Haiti but caused significant damage, turning entire communities into pools of waters. The flooding caused by hurricanes Irma and Maria destroyed vast areas of farmland. Critical crops that would have been used to feed the population are no longer available. Moreover, the flooding of farmland forced many agricultural workers to abandon their farm, further causing an increase in unemployment. Consequently, Haiti runs the risk of facing a food crisis due to the destruction of crops by hurricanes Irma and Maria.

5. **Economic conditions:** The earthquake brought the Haitian economy to its knees. According to the World Bank and the International Monetary Fund, Haiti suffered losses in excess of USD 9 billion. Despite best efforts to reboot the economy, subsequent natural disasters drastically slowed economic recovery. Hurricane Matthew caused an additional USD 2.8 billion in damage, further complicating the recovery efforts. The administration in Haiti is implementing a robust and comprehensive plan to stimulate the Haitian economy. As Haiti is trying to revitalize its economy, a non-renewal of TPS will force the country, in the near term, to welcome a large number of TPS recipients who may become vulnerable due to the precarious economic situation on the ground.
6. **Rebuilding of infrastructure destroyed by the earthquake:** Since the earthquake, the Haitian Government has been making considerable investments in rebuilding the country's core infrastructure destroyed by the earthquake. Tangible progress was being made in key infrastructure areas such as the rebuilding of hospitals, community health centers and roads. Unfortunately, the cascade of hurricanes has either significantly damaged buildings and roads or has simply destroyed them.

In addition to the existing conditions on the ground that clearly justify a TPS renewal, another set of compelling reasons justify such a decision. These reasons include:

- **Legislative solution to TPS:** A growing number of Congressional leaders, from both sides of the aisle, have written to the DHS Secretary to solicit an extension of TPS for Haitians. In addition to arguing that Haiti continues to meet the criteria for an extension, many congressional leaders have also hinted at introducing a permanent legislative solution to the TPS issue.
- **Haitian TPS recipients pose no threat to the security of the United States:** In its last TPS determination for Haitians, DHS stated that "permitting Haitian nationals to continue residing temporarily in the U.S. is not contrary to the national interest of the United States". Research continues to show that Haitian nationals benefiting from TPS have been exemplary law-abiding residents and pose no threat to the security of the United States or its people. Moreover, Haitian TPS recipients have not constituted a financial burden on U.S. taxpayers. Rather, Haitian TPS recipients have made significant economic contributions to their communities here in the United States, as acknowledged publicly by Congressional leaders, as well as Mayors, Governors, and business leaders. Allowing the Haitian Government a temporary reprieve to address issues on the ground would not cause a burden on the United States and its people.

To conclude, a statutory basis required to designate a country for TPS is that "the country has officially requested TPS designation". Under the current statute, the Haitian Government strongly feels, despite tangible progress and its best efforts, that a sufficient basis exists to justify a renewal of TPS.



FOR OFFICIAL USE ONLY

Antonio Rodrigue
Minister of Foreign Affairs of the Republic of Haiti



Antonio Rodrigue is the Haitian Minister of Foreign Affairs. He is a career Diplomat with more than 30 years of experience. A graduate of INAGHEI, he pursued advanced studies in international relations at the prestigious School of Diplomacy in Rio Branco, Brazil.

He began his career in Haiti as a member of the Ministry of Foreign Affairs, then in Switzerland as Consul General of the Republic of Haiti in Geneva.

He was also Minister Counselor, Chargé d'Affaires ai, to the Embassy of the Republic of Haiti in France in the 1980s, to the Permanent Mission of Haiti to the UN, in New York, where he remained for nearly 10 years, before being transferred to the Embassy of Haiti in Venezuela in 1999, as Minister Counselor, Chargé d'Affaires a.i.

In 2001, Antonio Rodrigue was appointed Ambassador Extraordinary and Plenipotentiary of Haiti to the Kingdom of Spain. He was also Ambassador and Permanent Representative to the Organization of American States (OAS) in Washington and Ambassador Extraordinary and Plenipotentiary to the Commonwealth of the Bahamas.

He was recently appointed to Brussels, Belgium, as Ambassador Extraordinary and Plenipotentiary to the European Union (EU) and to the Kingdom of Belgium (2015), before returning to Spain for the second time, at the head of the Haitian Diplomatic Mission, at the end of 2016.

In addition to French and Creole, he is fluent in English, Spanish and Portuguese.

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

**MEETING WITH HAITIAN MINISTER OF FOREIGN AFFAIRS ANTONIO
RODRIGUE
November 13, 2017**

Objective:

- You will meet with Haitian Minister of Foreign Affairs Antonio Rodrigue at his request to discuss Temporary Protected Status (TPS) for Haitian citizens, which is scheduled to expire on January 22, 2017.
 - By statute, you must review Haiti's TPS designation and determine whether it should be extended, terminated, or redesignated by November 23, 2017. Note that November 23 is Thanksgiving Day and you may wish to make your decision earlier.
- This meeting presents an opportunity to learn about the situation on the ground in Haiti and to ask for the status of ICE's request that the Government of Haiti begin accepting combined criminal and non-criminal removal flights.
- Ambassador of Haiti to the United States Paul Altidor sent a letter inviting to you visit Haiti on October 4 and a memorandum summarizing the reasons behind the Government of Haiti's request for a TPS extension on November 8, 2017. This meeting is taking place in lieu of a visit to Haiti.

Key Messages

At former Secretary Kelly's request, Haiti has taken some steps to prepare for the eventual end of its TPS designation, but it is unclear how extensive or effective these steps have been in preparing Haiti for the potential return of tens of thousands of Haitian TPS beneficiaries in the United States who will have no lawful status to remain upon termination of the designation.

When TPS is ended, all Haitian nationals will not be immediately removed to Haiti; rather, Haitian nationals will slowly return over a period of time, many on their own volition, providing Haiti a natural adjustment process.

Haiti has not yet responded to ICE's September 2017 request that it accept combined criminal and non-criminal removal flights, something that every other country in the region allows.

Key Issues:

DHS Priorities for Meeting

- After the 2010 earthquake devastated the country, former Secretary Napolitano announced Temporary Protected Status (TPS) for Haitian citizens on January 12, 2010, which allows eligible Haitian citizens to live and work in the United States.
 - As of November 2017, there were approximately 58,600 Haitian citizens in the United States receiving TPS benefits. Of these 58,600 individuals, over 16,000 have either filed for or been granted lawful permanent resident status since being granted TPS. USCIS estimates that approximately 40,000 TPS beneficiaries will file re-registration applications if Haiti's designation for TPS is extended.
 - Secretary of State Tillerson and USCIS both recommended that TPS be terminated for Haiti.

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

- Former Secretary Kelly requested, first in a meeting with FM Rodrigue at DHS HQ on May 15th, 2017 and then two weeks later in Haiti with Haitian President Jovenel Moïse, that the Government of Haiti take steps to prepare for the eventual end of its TPS designation. Steps Haiti has taken to prepare include:
 - *Establishing a Working Group*: The Government of Haiti established a minister-level working group focused on efforts to mitigate factors which cause Haitians to migrate illegally. A sub-group was created in order to focus specifically on preparations for the possible termination of TPS; understanding the need to ensure employment opportunities exist for TPS beneficiaries when they return to Haiti.
 - *Conducting Outreach to Diaspora Leaders*: Haiti's ambassador in Washington has worked to raise awareness amongst influential diaspora leaders so they can effectively share information with the Haitian community in the United States on how the termination of TPS will affect them.
 - *Providing Legal Assistance*: The Haitian Mission in the U.S. established a hotline to provide legal assistance by way of immigration attorneys.
 - *Obtaining New Equipment to Produce Travel Documents*: Haiti has recently acquired an additional travel document (passport) printer. Haitian government officials have assured DHS and the Department of State that Haitians seeking travel documents will have no difficulty getting them, and that wait times to receive a passport have dropped and production rates increased.
- Haiti generally cooperates with DHS on repatriations.
 - Haiti accepts manifest removals, meaning that they do not require passports for most Haitians ordered removed from the United States; this facilitates removals.
 - From October 1, 2016, to October 27, 2017, ICE removed 5,293 non-criminal and 368 criminal Haitians to Haiti. Haiti typically responds within two weeks for requests for travel documents and they are currently in compliance with ERO's Recalcitrant Country Initiative (RCI) tool.
 - In September 2017, ICE asked the Government of Haiti to permit combining criminal and non-criminal removal flights, a practice that is permitted in all other countries in the region and a key step to reducing ICE's detention costs. The Government of Haiti has not yet provided a formal response.
- Haiti's ability to receive back migrants from the United States may depend, in part, on the volume of deportations from elsewhere in the region. There are large numbers of Haitian migrants across the Western Hemisphere. Countries in the region, including the Bahamas and the Dominican Republic, have announced measures to crack down on illegal Haitian migration, including through increased deportations

Issues Likely to be Raised

- Minister Rodrigue is likely to spend the entirety of the meeting focusing on the extension of Temporary Protected Status for Haitian citizens, likely emphasizing the same points raised by Ambassador Altidor in his two letters to DHS. These letters cite two reasons to request an 18-month extension: the remaining destruction left in Hurricane Matthew's wake and the Government of Haiti's present inability to accommodate a mass return of Haitian citizens to the island as. Minister Rodrigue will likely argue that if TPS is extended for Haitians, the government will be able to develop needed capacities to receive Haitians when TPS terminates. Minister Rodrigue will also likely express faith in the newly-minted Moïse

FOR OFFICIAL USE ONLY

Administration's ability to rebuild the local economy and place the nation on better financial footing, which would provide an improved living environment for returned Haitian nationals in the near future.

- *Staff recommendation:* Thank the Foreign Minister for passing along the concerns of his government, and confirm that you will consider them as you make your final decision regarding TPS. Confirm that your office will contact the Moïse Administration personally prior to making the decision public.

Attachments:

- A. October 4th Letter from the Government of Haiti to the Secretary (Source: Government of Haiti)
- B. November 8th TPS Memorandum from the Government of Haiti (Source: Government of Haiti)
- C. Department of State Recommendation Regarding Temporary Protected Status for Haiti – 2017 (Source: Department of State)
- D. Memorandum for the Secretary from USCIS Director Cissna on Haiti's Designation for Temporary Protected Status (Source: USCIS)
- E. Biography

Staff Responsible for Briefing Memo: Jillian State John, Deputy Director for Caribbean and Southern Affairs, Office of Policy [REDACTED]

PRE-DECISIONAL / DELIBERATIVE

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director (MS 2000)
Washington, DC 20529-2000



U.S. Citizenship
and Immigration
Services

November 3, 2017

DECISION

MEMORANDUM FOR THE SECRETARY

FROM: L. Francis Cissna *27AC*
Director

SUBJECT: **Haiti's Designation for Temporary Protected Status**

Purpose: Haiti's existing designation for Temporary Protected Status (TPS) will expire on January 22, 2018. At least 60 days before the expiration of a TPS designation, the Secretary, after consultation with appropriate U.S. Government agencies, must review the conditions in a country designated for TPS to determine whether the conditions supporting the designation continue to be met. If the Secretary determines that the country no longer meets the statutory conditions for designation, she shall terminate the designation. If the Secretary does not determine, however, that the conditions for designation are no longer met, the TPS designation will be extended for 6 months, or in the Secretary's discretion, 12 or 18 months.¹

U.S. Citizenship and Immigration Services (USCIS) has completed a review of the conditions in Haiti and is presenting options and a recommendation for your consideration. In summary, USCIS assesses that Haiti has made significant progress in recovering from the 2010 earthquake and no longer continues to experience the extraordinary and temporary conditions that formed the basis of Haiti's designation and redesignation of TPS. Accordingly, USCIS recommends that you terminate Haiti's TPS designation.

As part of the review process, USCIS has consulted with the Department of State (DOS). Secretary Tillerson has assessed the conditions in Haiti and recommends that you terminate Haiti's TPS designation, with a delayed effective date of 18 months.

Haiti's TPS Designation: Following the devastating magnitude 7.0 earthquake that struck Haiti on January 12, 2010, former Secretary Napolitano designated Haiti for TPS on January 21, 2010, due to extraordinary and temporary conditions resulting from the earthquake.² The designation

¹ See Immigration and Nationality Act (INA) § 244(b)(3)(A-C), 8 U.S.C. § 1254a(b)(3)(A-C); see also Attachment A: Temporary Protected Status Legal Authority.

² See Designation of Haiti for Temporary Protected Status, 75 Fed. Reg. 3476 (Jan. 21, 2010).

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 2

was based on extraordinary and temporary conditions³ rather than environmental disaster⁴ because the Haitian government had not requested designation for TPS—a statutory requirement for a designation based on an environmental disaster.

The reasons provided for Haiti's designation for TPS in the Federal Register at the time of the initial 2010 designation included the 7.0 magnitude earthquake that “destroyed most of the capital city;” the “substantial” death toll; that “one third of Haiti's population” was affected by the earthquake; that “concrete homes [had] collapsed and hospitals [were] overflowing with victims;” the destruction of many government buildings, including the Presidential Palace; the “severely affected” critical infrastructure, including electricity, water, telephone, roads, the airport, hospitals, and schools; scarcity of food, water, and fuel. At the time, the Secretary estimated that there would be between 100,000 and 200,000 nationals of Haiti who would be eligible for TPS.

The Secretary then extended the existing designation and redesignated Haiti for TPS on May 19, 2011.⁵ The reasons provided for Haiti's 2011 redesignation and extension of TPS in the Federal Register included that the 2010 earthquake remained responsible for more than one million Haitians left homeless or living in 1,300 internally displaced persons (IDP) camps that were “crowded and vulnerable to flooding, crime (including gender-based violence), and disease;” and the cholera outbreak. Additionally, the notice reiterated the high death toll and large number of persons affected by the 2010 earthquake, and the large number of buildings destroyed by the earthquake. At the time, the Secretary estimated that approximately 10,000 additional individuals would be eligible for TPS under the redesignation.

Haiti's designation has been extended four times since the 2011 redesignation. On May 24, 2017, former Secretary Kelly extended Haiti's TPS designation for a limited period of 6 months, with strong public messaging to the Haitian community to prepare for their return to their homeland.⁶

To be eligible for TPS under Haiti's designation, along with meeting the other eligibility requirements, individuals must have continuously resided in the United States since January 12, 2011, and have been continuously physically present in the United States since July 23, 2011. There are approximately 58,700 Haitian TPS beneficiaries.⁷ Of the 46,000 re-registration applications USCIS estimated it would receive for the recent six-month extension, USCIS has received approximately 40,000 to date. Based on these statistics, USCIS estimates the filing of approximately 40,000 re-registration applications if Haiti's designation for TPS is extended.

³ INA § 244(b)(1)(C).

⁴ INA § 244(b)(1)(B).

⁵ See Extension and Redesignation of Haiti for Temporary Protected Status, 76 Fed. Reg. 29,000 (May 19, 2011).

⁶ See Extension of the Designation of Haiti for Temporary Protected Status, 82 Fed. Reg. 23,830 (May 24, 2015).

⁷ This total represents all individuals who have been granted TPS since Haiti's designation in 2010, and who have not had their TPS withdrawn. Individuals may not re-register for a variety of reasons, including adjustment to another valid immigration status, departure from the United States, or no longer being eligible for TPS. As a result, the number of beneficiaries that USCIS expects to file for re-registration for TPS is lower than the total number of current beneficiaries.

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 3

Current Country Conditions: USCIS has conducted an in-depth review of conditions in Haiti. The full report, upon which USCIS' assessment and recommendation are based, can be found in Attachment B. In summary, Haiti has made significant progress in recovering from the 2010 earthquake, and no longer continues to meet the conditions for designation.

Haiti is the poorest country in the western hemisphere, but it had enormous problems long before, and unrelated to, the 2010 earthquake. While lingering effects of the 2010 earthquake remain in housing, infrastructure, damage to the economy, health, sanitation services, security risks, and emergency response capacity, Haiti has made significant progress in addressing issues specific to the earthquake. The number of IDPs from the earthquake has continued to decline. Since July 2010, 98% of the sites for IDPs have closed, and only approximately 38,000 of the estimated 2 million Haitians who lost their homes in the earthquake are still living in camps as of June 2017. For those who do remain in these camps, gender-based violence continues to be a serious concern, and a lack of personal security is pervasive, but neither is a post-earthquake phenomenon.

Additionally, the withdrawal of the United Nation's peacekeeping mission (MINUSTAH) has gone smoothly, reflecting increased confidence in Haiti's ability to conduct its own policing. It will be replaced by a successor operation (MINUJUSTH), a police-only force, that will focus on strengthening rule of law; supporting and further developing the National Police; and engaging in human rights monitoring, reporting, and analysis.

Haiti successfully completed its presidential election in February 2017. The 2010 earthquake destroyed key government infrastructure, including dozens of primary federal buildings. The Supreme Court of Justice is already reconstructed and operational and President Moïse is marshalling plans for Haiti's continued recovery and redevelopment. In April 2017, President Moïse announced a project to rebuild Haiti's National Palace, but reconstruction has not yet commenced.

Following the earthquake that struck Haiti in January 2010, U.S. Immigration and Customs Enforcement (ICE) ceased removing Haitians to Haiti. In 2011, ICE resumed the removal of Haitians on a limited basis – specifically, those who had final orders of removal and had been convicted of a serious crime. On September 22, 2016, former Secretary of Homeland Security, Jeh Johnson, announced that DHS would resume removals of Haitian nationals in accordance with ICE's existing enforcement priorities. Secretary Johnson's announcement included the following rationale for the resumption of removals: "[T]he situation in Haiti has improved sufficiently to permit the U.S. government to remove Haitian nationals on a more regular basis, consistent with the practice for nationals from other nations." In total, ICE has removed over 1,100 Haitians from fiscal years 2014-2016 (382 in 2014, 433 in 2015, and 310 in 2016).

Annual GDP growth following the 2010 earthquake has been erratic, but predominantly positive, ranging from as low as -5.5% (2010) to as high as 5.5% (2011), and averaging 1.9% over the period.

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 4

Year	GDP growth (annual %)
2005	1.805
2006	2.249
2007	3.343
2008	0.844
2009	3.083
2010	-5.498
2011	5.524
2012	2.885
2013	4.234
2014	2.797
2015	1.185

In May 2017, an estimated 5.8 million people (over 50 percent of the population) suffered from food insecurity, as compared to 3.2 million in September 2016. The deterioration in food security is the consequence of Hurricane Matthew's severe impact on southwest Haiti. Food insecurity is expected to be further impacted by Hurricane Irma, which struck Haiti in September. Haiti's weak public health system has grappled with a cholera epidemic that began in 2010 in the aftermath of the earthquake, but cholera is currently at its lowest level since the outbreak started. Currently, Haiti's food insecurity problems seem related to tropical storms and a drought rather than from lingering effects of the 2010 earthquake.

Options

Your options include the following actions:

1) *Extend Haiti's Designation for TPS*

As described above, USCIS has concluded that the specific extraordinary and temporary conditions stemming from the 2010 earthquake which caused Haiti to be initially designated for TPS and to be redesignated in 2011 have been largely ameliorated. Haitian nationals may safely return to Haiti as evidenced by DHS's decision to resume removals to Haiti in 2016. Additionally, it is not in the national interest to extend a TPS designation when the specific extraordinary and temporary conditions giving rise to a TPS designation no longer exist. Haiti was initially designated for TPS in 2010 as a result of the damage caused by a major earthquake. The review of conditions in Haiti indicates that significant progress has been made in reconstruction and recovery efforts and Haiti's current challenges cannot be directly tied to the 2010 earthquake.

Although USCIS assesses otherwise, under the TPS statute, if you determine that those extraordinary and temporary conditions caused by the 2010 earthquake and the 2011 redesignation continue to exist, you must extend the TPS designation for an additional period of 6, 12, or 18 months. Should the decision be made to extend based upon these subsequent challenges hindering recovery, from a USCIS operational perspective, extension periods of less than 18 months are

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 5

challenging given the significant workload and timeframes involved in receiving and adjudicating re-registration applications and issuing new employment authorization documents.

2) *Terminate Haiti's Designation for TPS*

If you determine that Haiti no longer continues to meet the statutory requirements for its TPS designation, you must terminate TPS for Haiti. Upon the termination of TPS, former beneficiaries without another immigration status or authorization to remain would no longer have permission to work and remain in the United States. They may, however, apply for any other immigration benefits for which they may be otherwise eligible (e.g., asylum, lawful permanent residence, or nonimmigrant status). As explained above, USCIS assesses that termination is warranted because extraordinary and temporary conditions preventing Haitians from returning in safety no longer exist. Any current issues in Haiti are unrelated to the 2010 earthquake.

If you decide to terminate Haiti's designation, you may determine the appropriate effective date of the termination. In doing so, you have the option to provide for an orderly transition period (e.g., 6, 12, or 18 months) after which TPS documentation will end. Although former Secretary Kelly put current Haitian TPS beneficiaries on notice that the status could be subsequently terminated when he authorized the 6-month extension, a delay of the effective date would provide those beneficiaries without any other immigration status a reasonable amount of time following the announcement of termination of the designation to plan and prepare for their departure from the United States. Note that the effective date of termination may not be earlier than 60 days after the date the *Federal Register* notice announcing the termination is published or, if later, the expiration of the most recent previous extension.

3) *Redesignate Haiti for TPS*

In addition to making a decision to terminate or extend Haiti's TPS designation, you could also consider redesignating the country for TPS. A decision to redesignate a country for TPS, unlike termination or extension, is entirely at your discretion; if the statutory conditions are met, you may, but do not have to, redesignate a country for TPS. The most significant recent event that could be considered in support of a redesignation is the destruction caused by Hurricane Matthew in October of 2016, but USCIS is not recommending redesignating Haiti for TPS on that basis as any extraordinary and temporary conditions that may have resulted from that event do not currently prevent Haitian nationals from returning to their country in safety.

4) *No Decision/Automatic Extension*

Upon review of the assessment, you could also choose not to make a determination about whether Haiti's TPS designation should be extended or terminated at this time. If you do not make a decision at least 60 days prior to its expiration date, by statute, its period of designation will be automatically extended for 6 additional months (or, in your discretion, a period of 12 or 18 months). You could affirmatively choose not to make a decision about whether the conditions supporting Haiti's designation continue to be met and announce the automatic extension of 6 (or

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 6

supporting Haiti's designation continue to be met and announce the automatic extension of 6 (or 12 or 18) months, noting that the Secretary will then review conditions prior to the expiration of that extension.

Timeliness: You are required to provide timely notice of whether existing TPS designations will be extended or terminated through publication in the *Federal Register*.⁸ Your earliest decision will facilitate publication of notice in the *Federal Register* sufficiently in advance of the January 22, 2018 expiration of Haiti's designation, providing predictability and clarity to Haitian nationals with TPS and their employers. By statute, if you do not make a decision at least 60 days before the expiration of the current designation (i.e., by November 23, 2017), then Haiti's designation will automatically be extended for a minimum of 6 months.⁹

Recommendation: Upon consideration of all of the factors, USCIS recommends that you terminate Haiti's existing designation for TPS based on the extraordinary and temporary conditions resulting from or following the 2010 earthquake. If you decide to terminate, USCIS recommends terminating with an effective date delayed by 6, 12, or 18 months to permit an orderly transition.

Decision:

1. Extend: Extend Haiti's existing designation for (circle one):

6 months

12 months

18 months

Approve/date _____

2. Terminate: Terminate Haiti's designation with an orderly transition period of (circle one or specify period):

6 months

12 months

18 months

Other _____

Approve/date _____

3. Redesignate: Extend Haiti's existing designation and simultaneously redesignate Haiti:

Specify duration of redesignation (6-18 months): _____

Specify continuous residence date for eligibility under redesignation (currently January 12, 2011): _____

Approve/date _____

⁸ See INA § 244(b)(3)(A).

⁹ See INA § 244(b)(3)(A), (C).

Haiti's Designation for Temporary Protected Status
Page 7

4. *No Decision/Automatic Extension: Delay a decision on Haiti's designation, resulting in an extension of (circle one):*

6 months

12 months

18 months

Approve/date _____

Attachments:

Attachment A: Temporary Protected Status Legal Authority

Attachment B: USCIS RAIO Research Unit Report on Conditions in Haiti

Attachment C: DOS Recommendations

PRE-DECISIONAL / DELIBERATIVE

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director (MS 2000)
Washington, DC 20529-2000



U.S. Citizenship
and Immigration
Services

November 3, 2017

DECISION

MEMORANDUM FOR THE SECRETARY

FROM: L. Francis Cissna *2 F x C*
Director

SUBJECT: **Haiti's Designation for Temporary Protected Status**

Purpose: Haiti's existing designation for Temporary Protected Status (TPS) will expire on January 22, 2018. At least 60 days before the expiration of a TPS designation, the Secretary, after consultation with appropriate U.S. Government agencies, must review the conditions in a country designated for TPS to determine whether the conditions supporting the designation continue to be met. If the Secretary determines that the country no longer meets the statutory conditions for designation, she shall terminate the designation. If the Secretary does not determine, however, that the conditions for designation are no longer met, the TPS designation will be extended for 6 months, or in the Secretary's discretion, 12 or 18 months.¹

U.S. Citizenship and Immigration Services (USCIS) has completed a review of the conditions in Haiti and is presenting options and a recommendation for your consideration. In summary, USCIS assesses that Haiti has made significant progress in recovering from the 2010 earthquake and no longer continues to experience the extraordinary and temporary conditions that formed the basis of Haiti's designation and redesignation of TPS. Accordingly, USCIS recommends that you terminate Haiti's TPS designation.

As part of the review process, USCIS has consulted with the Department of State (DOS). Secretary Tillerson has assessed the conditions in Haiti and recommends that you terminate Haiti's TPS designation, with a delayed effective date of 18 months.

Haiti's TPS Designation: Following the devastating magnitude 7.0 earthquake that struck Haiti on January 12, 2010, former Secretary Napolitano designated Haiti for TPS on January 21, 2010, due to extraordinary and temporary conditions resulting from the earthquake.² The designation

¹ See Immigration and Nationality Act (INA) § 244(b)(3)(A-C), 8 U.S.C. § 1254a(b)(3)(A-C); see also Attachment A: Temporary Protected Status Legal Authority.

² See Designation of Haiti for Temporary Protected Status, 75 Fed. Reg. 3476 (Jan. 21, 2010).

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 2

was based on extraordinary and temporary conditions³ rather than environmental disaster⁴ because the Haitian government had not requested designation for TPS—a statutory requirement for a designation based on an environmental disaster.

The reasons provided for Haiti's designation for TPS in the Federal Register at the time of the initial 2010 designation included the 7.0 magnitude earthquake that “destroyed most of the capital city;” the “substantial” death toll; that “one third of Haiti’s population” was affected by the earthquake; that “concrete homes [had] collapsed and hospitals [were] overflowing with victims;” the destruction of many government buildings, including the Presidential Palace; the “severely affected” critical infrastructure, including electricity, water, telephone, roads, the airport, hospitals, and schools; scarcity of food, water, and fuel. At the time, the Secretary estimated that there would be between 100,000 and 200,000 nationals of Haiti who would be eligible for TPS.

The Secretary then extended the existing designation and redesignated Haiti for TPS on May 19, 2011.⁵ The reasons provided for Haiti's 2011 redesignation and extension of TPS in the Federal Register included that the 2010 earthquake remained responsible for more than one million Haitians left homeless or living in 1,300 internally displaced persons (IDP) camps that were “crowded and vulnerable to flooding, crime (including gender-based violence), and disease;” and the cholera outbreak. Additionally, the notice reiterated the high death toll and large number of persons affected by the 2010 earthquake, and the large number of buildings destroyed by the earthquake. At the time, the Secretary estimated that approximately 10,000 additional individuals would be eligible for TPS under the redesignation.

Haiti's designation has been extended four times since the 2011 redesignation. On May 24, 2017, former Secretary Kelly extended Haiti's TPS designation for a limited period of 6 months, with strong public messaging to the Haitian community to prepare for their return to their homeland.⁶

To be eligible for TPS under Haiti's designation, along with meeting the other eligibility requirements, individuals must have continuously resided in the United States since January 12, 2011, and have been continuously physically present in the United States since July 23, 2011. There are approximately 58,700 Haitian TPS beneficiaries.⁷ Of the 46,000 re-registration applications USCIS estimated it would receive for the recent six-month extension, USCIS has received approximately 40,000 to date. Based on these statistics, USCIS estimates the filing of approximately 40,000 re-registration applications if Haiti's designation for TPS is extended.

³ INA § 244(b)(1)(C).

⁴ INA § 244(b)(1)(B).

⁵ See Extension and Redesignation of Haiti for Temporary Protected Status, 76 Fed. Reg. 29,000 (May 19, 2011).

⁶ See Extension of the Designation of Haiti for Temporary Protected Status, 82 Fed. Reg. 23,830 (May 24, 2015).

⁷ This total represents all individuals who have been granted TPS since Haiti's designation in 2010, and who have not had their TPS withdrawn. Individuals may not re-register for a variety of reasons, including adjustment to another valid immigration status, departure from the United States, or no longer being eligible for TPS. As a result, the number of beneficiaries that USCIS expects to file for re-registration for TPS is lower than the total number of current beneficiaries.

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 3

Current Country Conditions: USCIS has conducted an in-depth review of conditions in Haiti. The full report, upon which USCIS' assessment and recommendation are based, can be found in Attachment B. In summary, Haiti has made significant progress in recovering from the 2010 earthquake, and no longer continues to meet the conditions for designation.

Haiti is the poorest country in the western hemisphere, but it had enormous problems long before, and unrelated to, the 2010 earthquake. While lingering effects of the 2010 earthquake remain in housing, infrastructure, damage to the economy, health, sanitation services, security risks, and emergency response capacity, Haiti has made significant progress in addressing issues specific to the earthquake. The number of IDPs from the earthquake has continued to decline. Since July 2010, 98% of the sites for IDPs have closed, and only approximately 38,000 of the estimated 2 million Haitians who lost their homes in the earthquake are still living in camps as of June 2017. For those who do remain in these camps, gender-based violence continues to be a serious concern, and a lack of personal security is pervasive, but neither is a post-earthquake phenomenon.

Additionally, the withdrawal of the United Nation's peacekeeping mission (MINUSTAH) has gone smoothly, reflecting increased confidence in Haiti's ability to conduct its own policing. It will be replaced by a successor operation (MINUJUSTH), a police-only force, that will focus on strengthening rule of law; supporting and further developing the National Police; and engaging in human rights monitoring, reporting, and analysis.

Haiti successfully completed its presidential election in February 2017. The 2010 earthquake destroyed key government infrastructure, including dozens of primary federal buildings. The Supreme Court of Justice is already reconstructed and operational and President Moïse is marshalling plans for Haiti's continued recovery and redevelopment. In April 2017, President Moïse announced a project to rebuild Haiti's National Palace, but reconstruction has not yet commenced.

Following the earthquake that struck Haiti in January 2010, U.S. Immigration and Customs Enforcement (ICE) ceased removing Haitians to Haiti. In 2011, ICE resumed the removal of Haitians on a limited basis – specifically, those who had final orders of removal and had been convicted of a serious crime. On September 22, 2016, former Secretary of Homeland Security, Jeh Johnson, announced that DHS would resume removals of Haitian nationals in accordance with ICE's existing enforcement priorities. Secretary Johnson's announcement included the following rationale for the resumption of removals: "[T]he situation in Haiti has improved sufficiently to permit the U.S. government to remove Haitian nationals on a more regular basis, consistent with the practice for nationals from other nations." In total, ICE has removed over 1,100 Haitians from fiscal years 2014-2016 (382 in 2014, 433 in 2015, and 310 in 2016).

Annual GDP growth following the 2010 earthquake has been erratic, but predominantly positive, ranging from as low as -5.5% (2010) to as high as 5.5% (2011), and averaging 1.9% over the period.

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 4

Year	GDP growth (annual %)
2005	1.805
2006	2.249
2007	3.343
2008	0.844
2009	3.083
2010	-5.498
2011	5.524
2012	2.885
2013	4.234
2014	2.797
2015	1.185

In May 2017, an estimated 5.8 million people (over 50 percent of the population) suffered from food insecurity, as compared to 3.2 million in September 2016. The deterioration in food security is the consequence of Hurricane Matthew's severe impact on southwest Haiti. Food insecurity is expected to be further impacted by Hurricane Irma, which struck Haiti in September. Haiti's weak public health system has grappled with a cholera epidemic that began in 2010 in the aftermath of the earthquake, but cholera is currently at its lowest level since the outbreak started. Currently, Haiti's food insecurity problems seem related to tropical storms and a drought rather than from lingering effects of the 2010 earthquake.

Options

Your options include the following actions:

1) *Extend Haiti's Designation for TPS*

As described above, USCIS has concluded that the specific extraordinary and temporary conditions stemming from the 2010 earthquake which caused Haiti to be initially designated for TPS and to be redesignated in 2011 have been largely ameliorated. Haitian nationals may safely return to Haiti as evidenced by DHS's decision to resume removals to Haiti in 2016. Additionally, it is not in the national interest to extend a TPS designation when the specific extraordinary and temporary conditions giving rise to a TPS designation no longer exist. Haiti was initially designated for TPS in 2010 as a result of the damage caused by a major earthquake. The review of conditions in Haiti indicates that significant progress has been made in reconstruction and recovery efforts and Haiti's current challenges cannot be directly tied to the 2010 earthquake.

Although USCIS assesses otherwise, under the TPS statute, if you determine that those extraordinary and temporary conditions caused by the 2010 earthquake and the 2011 redesignation continue to exist, you must extend the TPS designation for an additional period of 6, 12, or 18 months. Should the decision be made to extend based upon these subsequent challenges hindering recovery, from a USCIS operational perspective, extension periods of less than 18 months are

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 5

challenging given the significant workload and timeframes involved in receiving and adjudicating re-registration applications and issuing new employment authorization documents.

2) *Terminate Haiti's Designation for TPS*

If you determine that Haiti no longer continues to meet the statutory requirements for its TPS designation, you must terminate TPS for Haiti. Upon the termination of TPS, former beneficiaries without another immigration status or authorization to remain would no longer have permission to work and remain in the United States. They may, however, apply for any other immigration benefits for which they may be otherwise eligible (e.g., asylum, lawful permanent residence, or nonimmigrant status). As explained above, USCIS assesses that termination is warranted because extraordinary and temporary conditions preventing Haitians from returning in safety no longer exist. Any current issues in Haiti are unrelated to the 2010 earthquake.

If you decide to terminate Haiti's designation, you may determine the appropriate effective date of the termination. In doing so, you have the option to provide for an orderly transition period (e.g., 6, 12, or 18 months) after which TPS documentation will end. Although former Secretary Kelly put current Haitian TPS beneficiaries on notice that the status could be subsequently terminated when he authorized the 6-month extension, a delay of the effective date would provide those beneficiaries without any other immigration status a reasonable amount of time following the announcement of termination of the designation to plan and prepare for their departure from the United States. Note that the effective date of termination may not be earlier than 60 days after the date the *Federal Register* notice announcing the termination is published or, if later, the expiration of the most recent previous extension.

3) *Redesignate Haiti for TPS*

In addition to making a decision to terminate or extend Haiti's TPS designation, you could also consider redesignating the country for TPS. A decision to redesignate a country for TPS, unlike termination or extension, is entirely at your discretion; if the statutory conditions are met, you may, but do not have to, redesignate a country for TPS. The most significant recent event that could be considered in support of a redesignation is the destruction caused by Hurricane Matthew in October of 2016, but USCIS is not recommending redesignating Haiti for TPS on that basis as any extraordinary and temporary conditions that may have resulted from that event do not currently prevent Haitian nationals from returning to their country in safety.

4) *No Decision/Automatic Extension*

Upon review of the assessment, you could also choose not to make a determination about whether Haiti's TPS designation should be extended or terminated at this time. If you do not make a decision at least 60 days prior to its expiration date, by statute, its period of designation will be automatically extended for 6 additional months (or, in your discretion, a period of 12 or 18 months). You could affirmatively choose not to make a decision about whether the conditions supporting Haiti's designation continue to be met and announce the automatic extension of 6 (or

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 6

supporting Haiti's designation continue to be met and announce the automatic extension of 6 (or 12 or 18) months, noting that the Secretary will then review conditions prior to the expiration of that extension.

Timeliness: You are required to provide timely notice of whether existing TPS designations will be extended or terminated through publication in the *Federal Register*.⁸ Your earliest decision will facilitate publication of notice in the *Federal Register* sufficiently in advance of the January 22, 2018 expiration of Haiti's designation, providing predictability and clarity to Haitian nationals with TPS and their employers. By statute, if you do not make a decision at least 60 days before the expiration of the current designation (i.e., by November 23, 2017), then Haiti's designation will automatically be extended for a minimum of 6 months.⁹

Recommendation: Upon consideration of all of the factors, USCIS recommends that you terminate Haiti's existing designation for TPS based on the extraordinary and temporary conditions resulting from or following the 2010 earthquake. If you decide to terminate, USCIS recommends terminating with an effective date delayed by 6, 12, or 18 months to permit an orderly transition.

Decision:

1. Extend: Extend Haiti's existing designation for (circle one):

6 months

12 months

18 months

Approve/date _____

2. Terminate: Terminate Haiti's designation with an orderly transition period of (circle one or specify period):

6 months

12 months

18 months

Other _____

Approve/date _____

3. Redesignate: Extend Haiti's existing designation and simultaneously redesignate Haiti:

Specify duration of redesignation (6-18 months): _____

Specify continuous residence date for eligibility under redesignation (currently January 12, 2011): _____

Approve/date _____

⁸ See INA § 244(b)(3)(A).

⁹ See INA § 244(b)(3)(A), (C).

Haiti's Designation for Temporary Protected Status
Page 7

4. *No Decision/Automatic Extension: Delay a decision on Haiti's designation, resulting in an extension of (circle one):*

6 months

12 months

18 months

Approve/date _____

Attachments:

Attachment A: Temporary Protected Status Legal Authority

Attachment B: USCIS RAIO Research Unit Report on Conditions in Haiti

Attachment C: DOS Recommendations

FOR OFFICIAL USE ONLY

HAITI TPS STRATEGY MEETING

November 13, 2017

Objective:

- You called this meeting to assess actions taken by the Haitian government to prepare Haitian TPS beneficiaries for repatriation in the event Haiti's TPS designation is terminated.
- By statute, you must review Haiti's TPS designation and determine whether it should be extended, terminated, or redesignated by November 23, 2017. Note that November 23 is Thanksgiving Day and you may wish to make your decision earlier.

Key Messages

At former Secretary Kelly's request, Haiti has taken some steps to prepare for the eventual end of its TPS designation, but it is unclear how extensive or effective these steps have been in preparing Haiti for the potential return of the tens of thousands of Haitian TPS beneficiaries in the United States who will have no lawful status to remain upon termination of the designation.

The Government of Haiti indicates that it understands TPS is temporary, but stresses it does not yet have the ability to accept back all of its TPS beneficiaries.

Haiti is generally a good partner with regard to repatriations and doesn't require travel documents for most non-criminal Haitians ordered removed from the United States on charter flights. However, Haiti has not yet responded to ICE's request that it accept back combined criminal and non-criminal removal flights, something that every other country in the region allows.

Haiti's ability to accept back its nationals from the United States may be affected if deportations increase from elsewhere in the region, such as from the Bahamas and the Dominican Republic.

Key Issues:DHS Priorities for Meeting

- There are approximately 58,600 Haitian TPS beneficiaries. Of these 58,600 individuals, over 16,000 have either filed for or been granted lawful permanent resident status since being granted TPS. USCIS estimates the filing of approximately 40,000 re-registration applications if Haiti's designation for TPS is extended.
- Haiti was first designated for TPS on January 21, 2010, due to extraordinary and temporary conditions resulting from the devastating earthquake that occurred on January 12, 2010.
 - Haiti was redesignated on May 19, 2011, and its TPS has been extended four times since the May 2011 redesignation.
 - On May 24, 2017, former Secretary Kelly extended Haiti's TPS designation for 6 months.
- Former Secretary Kelly requested that the Government of Haiti take steps to prepare for the eventual end of its TPS designation.
- Specific steps Haiti has taken to prepare include:

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

- Establishing a Working Group: The Government of Haiti established a minister-level working group focused on efforts to mitigate factors which cause Haitians to migrate illegally. A sub-group was created in order to focus specifically on preparations for the possible termination of TPS; understanding the need to ensure employment opportunities exist for TPS beneficiaries when they return to Haiti.
- Conducting Outreach to Diaspora Leaders: Haiti's Ambassador in Washington has worked to raise awareness amongst influential diaspora leaders, so they can effectively share information with the Haitian community in the United States on how the termination of TPS will affect them.
- Providing Legal Assistance: The Haitian Mission in the U.S. established a hotline to provide legal assistance by way of immigration attorneys.
- Analyst note: It is difficult to measure how these steps affect Haiti's ability to accept back its current TPS beneficiaries. In addition to the steps outlined above, Haiti has recently acquired an additional travel document (passport) printer. Haitian government officials have assured DHS and State that Haitians seeking travel documents have no difficulty getting them, and that wait times to receive a passport have dropped and production rates increased.
- The Government of Haiti continues to convey that, while it understands that TPS is a temporary program and it will be terminated eventually, Haiti is not currently able to accept back all its beneficiaries and has requested an 18-month extension of its TPS designation.
- Haiti generally cooperates with DHS on repatriations.
 - Following the 2010 earthquake, DHS suspended all criminal and non-criminal Haitian removals to Haiti. In 2011, DHS resumed removals for criminals, but non-criminal removals remained suspended. In 2016, there was a significant increase of Haitian migrants arriving to the Southwest Border due to declining economic conditions in Brazil (where many Haitians had relocated to after the earthquake utilizing Brazilian humanitarian visas that allowed them to work). In September 2016, former Secretary Johnson announced the resumption of non-criminal Haitian removals.
 - Haiti accepts manifest removals, meaning that they do not require passports for most Haitians ordered removed from the United States; this facilitates removals.
 - At the height of removals, ICE was sending three flights of 135 Haitians per week, in addition to a flight of 50 criminals per month. From October 1, 2016, to October 27, 2017, ICE removed 5,293 non-criminal and 368 criminal Haitians to Haiti. Haiti typically responds within two weeks for requests for travel documents and they are currently in compliance with ERO's Recalcitrant Country Initiative (RCI) tool.
 - ICE has asked Haiti to begin permitting combined criminal and non-criminal flights to reduce costs; however, Haiti has not yet provided a formal response.
- Haiti's ability to receive back migrants from the United States may depend, in part, on deportations from elsewhere in the region.
 - There are large numbers of Haitian migrants, asylum seekers, and diaspora communities across the Western Hemisphere. Countries in the region, including the Bahamas and the Dominican Republic, have announced measures to crack down on irregular Haitian migration.
 - Unrestrained deportations of Haitian migrants from the region could exacerbate social and economic challenges in Haiti, reduce Haiti's ability to receive migrants returned from the United States, and lead to increased illegal immigration.

FOR OFFICIAL USE ONLY

Attachments:

- A. Memorandum for the Secretary from USCIS Director Cissna on Haiti's Designation for Temporary Protected Status
- B. Department of State Recommendation Regarding Temporary Protected Status for Haiti – 2017
- C. October 4th Letter from the Government of Haiti to the Secretary
- D. TPS Memorandum from the Government of Haiti
- E. Classified Product
- F. Participant List

Staff Responsible for Briefing Memo: Jill St John, Deputy Director for the Caribbean and Southern Cone [REDACTED]

Reviewed and approved by: James Nealon, Assistant Secretary [REDACTED]

OGC Reviewer: Jotham Allen, DCOS [REDACTED]

FOR OFFICIAL USE ONLY



United States Senate
WASHINGTON, DC 20510-0005

BILL NELSON
FLORIDA

August 24, 2017

SCANNED/RECEIVED
BY ESFC SEC

2017 AUG 25 PM 1:12

The Honorable Elaine Duke
Acting Secretary of Homeland Security
3801 Nebraska Avenue NW
Washington, DC 20528

Dear Acting Secretary Duke:

I write regarding Temporary Protected Status (TPS) for Haitian nationals. Given Haiti's continued recovery from the 2010 earthquake and last fall's Category 4 hurricane, I strongly urge you to grant a full, 18-month extension of Temporary Protected Status for the roughly 60,000 Haitian nationals living here in the U.S.

The 2010 earthquake killed more than 200,000 people, displaced another one million, and ultimately led to a cholera epidemic that devastated the island. Last October, Hurricane Matthew's destruction compounded these problems and created new ones, killing more than 1,000 people, devastating Haiti's infrastructure and agricultural system, and leaving many Haitians without a secure supply of food or shelter. As Secretary Kelly himself noted earlier this year, "significant losses of crops and livestock in the regions damaged by Hurricane Matthew impacted the entire country."

Hurricane Matthew has significantly set back Haiti's ongoing recovery efforts, and I strongly urge you to fully consider these conditions in extending TPS for another 18 months.

Then-Secretary Kelly and I have worked together closely on this issue, and I look forward to doing the same with you. As you consider this request to extend TPS beyond its current expiration date of January 22, I encourage you to visit Haiti to assess the conditions on the ground there for yourself. I also encourage you to meet with Haitian leaders in Florida to discuss the importance of extending protections for those already living here and the impact it has on the community.

The new Government of Haiti is in the process of implementing an economic growth plan so Haiti can better serve its people at home and those living abroad. I know that you share hopes for a stable and prosperous Haiti, and I look forward to working with you to achieve these goals.

Thank you for your attention to this matter.

Sincerely,

Bill Nelson

FOR OFFICIAL USE ONLY

MEETING WITH SENATOR BILL NELSON

November 16, 2017

Objective:

- You will meet with Senator Bill Nelson (D-FL) to discuss your imminent decision whether to extend Temporary Protected Status (TPS) for Haiti. Senator Nelson will urge you to extend TPS for 18 months from the current extension that expires on January 22, 2018. Senator Nelson wrote you on August 24, 2017 with the same request.

Key Messages: You are currently evaluating the conditions in Haiti including the impact of Hurricane Matthew, and based on that evaluation will make a decision on whether to extend or terminate TPS for Haiti.

Key Issues:

Background on TPS Designation for Haiti

- Following the devastating magnitude 7.0 earthquake that struck Haiti on January 12, 2010, former Secretary Napolitano designated Haiti for TPS on January 21, 2010, due to extraordinary and temporary conditions resulting from the earthquake.
- Haiti's designation has been extended four times since the 2011 re-designation.
- Canada had a similar program for Haiti following the earthquake that they terminated on December 1, 2014.
- Most recently, Secretary Kelly extended TPS for a limited six months on May 24, 2017.

Secretary's TPS Designation Authority

- Under federal law, in order for the Secretary to designate a country for TPS, the Secretary must find that one or more of the following three statutory bases are met:
 - There is an ongoing armed conflict within the country that would pose a serious threat to the personal safety of the country's nationals if they were returned;
 - There has been an environmental disaster resulting in a substantial, but temporary, disruption of the living conditions in the area affected, the country is temporarily unable to handle adequately the return of its nationals, and the country has officially requested TPS designation; or
 - There exist extraordinary and temporary conditions in the country that prevent nationals from returning in safety, and the Secretary does not find that permitting the country's nationals to remain temporarily in the United States would be contrary to the national interest of the United States.
- If the Secretary finds that the conditions for designation continue to be met, the TPS designation must be extended for 6, 12, or 18 months. If the Secretary determines that the country no longer meets the statutory conditions for designation, however, she shall terminate the designation.
- At least 60 days before the expiration of a TPS designation, the Secretary, after consultation with appropriate U.S. Government agencies, must review and determine whether the conditions supporting the designation continue to be met. The 60-day decision deadline for Haiti's TPS designation is Thursday, November 23, 2017.

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

Decision on TPS

- Haiti has made progress across several fronts since the devastating earthquake in 2010.
- The Haitian government has asked for an 18 month TPS extension.
- The existing six-month extension allowed time for Haitian TPS recipients to obtain travel documents and make other necessary arrangements for their ultimate departure from the United States, while providing the Haitian government with the time it needs to prepare for the future repatriation of all current TPS recipients.
- As the expiration of this limited six-month period is nearing, you have been reevaluating the designation for Haiti and will decide anew whether extension, re-designation, or termination is warranted.
- In the event of TPS termination in January 2018, you will work with the Government of Haiti to ensure an orderly transition, to include assisting the government in proactively providing travel documents for its citizens.
- TPS, as enacted in law, is inherently temporary in nature and not intended to be a vehicle to provide long-term immigration benefits to foreign nationals.
- There are approximately 58,700 Haitian TPS beneficiaries. Of the 46,000 re-registration applications USCIS estimated it would receive for the recent six-month extension, USCIS has received approximately 40,000 to date. Based on these statistics, USCIS estimates the filing of approximately 40,000 re-registration applications if Haiti's designation for TPS is extended.

Logistics:

- The meeting will take place on November 16, 2017 in Senator Nelson's office in room 716 of the Hart Senate Office Building at 2:30 pm.
- Closed to press.

Attachments:

- A. Senator Nelson's Letter dated August 24, 2017
- B. USCIS Response dated September 25, 2017
- C. Participant List
- D. Biography

Staff Responsible for Briefing Memo: James M. Phillips, Director, Office of Legislative Affairs [REDACTED]

FOR OFFICIAL USE ONLY

MEETING WITH SENATOR BILL NELSON
Participant List

DHS

Acting Secretary Duke

Chad Wolf, Acting Chief of Staff

Ben Cassidy, Assistant Secretary, OLA

External Participants

Senator Bill Nelson, FL

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

U.S. Senator Bill Nelson (D-FL)



Senator Nelson is currently serving his 3rd term and is up for re-election in 2019. Senator Nelson is the Ranking Member for the Committee on Commerce, Science and Transportation.

Senator Nelson was born in Miami, Dade County, FL, and spent most of his youth in Melbourne, just south of Cape Canaveral. After graduating from law school at the University of Virginia, a time in the Army in which he rose to the rank of captain, and a brief tenure as an aide to Democratic Governor Reubin Askew, Sen. Nelson won a seat in the Florida House in 1972. Six years later, he won a seat in Congress from the district that included the Space Coast and inland toward Orlando. Sen. Nelson had no trouble holding the seat for six terms. In 1990 Sen. Nelson ran for governor, losing in the primary. After four years out of office, Sen. Nelson ran for the post of state treasurer, insurance commissioner and fire marshal and served six years. In 2000 Sen. Nelson returned to Congress, this time to the Senate. He won an easy re-election in 2006 against Representative Katherine Harris, and was re-elected again in 2012.

Florida Senator Bill Nelson, a child of the state's Space Coast area who flew into space as a House member, is one of Congress's leading advocates for a manned mission to Mars. As a senator from a big and growing southeastern coastal state, Sen. Nelson is also active on issues that affect the elderly, the military, global warming and such public health hazards as the mosquito-borne Zika virus. Senator Nelson underwent surgery for prostate cancer in July 2015 that his doctors called a success.

FOR OFFICIAL USE ONLY



THE SECRETARY OF STATE

WASHINGTON

October 31, 2017

The Honorable
 Elaine C. Duke
 Acting Secretary of the Department of Homeland Security
 Washington, DC 20528

2017 OCT 31 PM 3:32
 SCANNED/RECEIVED
 BY ESEC SEC

Dear Acting Secretary Duke:

The State Department has assessed that El Salvador, Haiti, Honduras, and Nicaragua no longer meet the conditions required for continued designation for Temporary Protected Status (TPS). The disruption in living conditions in El Salvador, Honduras, and Nicaragua attributable to the environmental disasters that served as the basis for their TPS designations has decreased in severity to a degree that it may no longer be considered "substantial" within the meaning of the TPS statute. The extraordinary and temporary conditions that served as the basis for Haiti's most recent designation have sufficiently improved such that they no longer prevent nationals of Haiti from returning in safety. Attached are country conditions reports that provide the Department's assessment of conditions in each country as they pertain to their respective TPS designations.

Given the number of impacted beneficiaries, and to minimize any negative implications that termination would have on our bilateral relations with these countries, I recommend that should the Department of Homeland Security (DHS) decide to terminate TPS for these countries, that you do so with delayed effective dates of 18 months. An 18-month wind down period would provide adequate time for long-term beneficiaries to arrange for their departure and for their home countries to prepare for their reception and reintegration.

I do not make these recommendations lightly. As you consider your decision, I am sure you are well aware of the significant humanitarian, foreign policy, and political interests at play. First and foremost, termination of TPS would likely leave hundreds of thousands of TPS recipients — many of whom have lived and worked in the United States for more than 15 years and have U.S. citizen children — out of legal status. For those that depart, they will return to countries with limited economic opportunities for their reintegration. In the case of El Salvador and Honduras, both countries continue to have some of the world's highest homicide rates, and weak law enforcement capabilities and inadequate government services will make it difficult for their respective governments to ensure the protection of returning citizens — no less the U.S. citizen children who may accompany their parents.

Termination of TPS will also likely generate a backlash from the governments themselves, particularly the Honduran and Salvadoran governments, who have agreed to engage with the United States in support of the U.S. strategy in Central America. Central American leaders are likely to assert that the resources required for a large-scale re-integration of TPS beneficiaries and their dependents will undermine the Central America Strategy and Central America's complementary Alliance for Prosperity, both of which seek to generate prosperity for the region's citizens and reduce irregular migration to the United States. They may take retaliatory actions counter to our long-standing national security and economic interests like withdrawing their counternarcotics and anti-gang cooperation with the United States, reducing

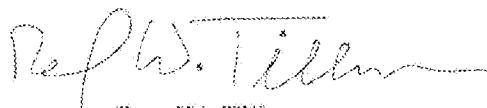
-2-

their willingness to accept the return of their deported citizens, or refraining from efforts to control illegal migration.

However, the fact remains that the conditions in these countries do not – in the State Department's judgment – meet the legal requirements necessary for extension. Should DHS decide to terminate the programs, I hope our Departments can work together in a thoughtful, coordinated manner to develop a plan to work with the four governments, TPS beneficiaries themselves, Congress, NGOs, and other stakeholders to mitigate any negative impact on U.S. national security and foreign policy priorities. As indicated, an 18-month wind down period will be critical to our efforts.

I thank you in advance for including the Department of State's Bureaus of Western Hemisphere Affairs (WHA) and Population, Refugees, and Migration, as well as our public affairs team, in your Department's planning for the public announcement of any TPS decisions, including to foreign audiences. Additionally, I request that you provide WHA with no less than 48-hours lead time prior to the public announcement so that it can notify counterpart governments, on an embargoed basis, of the decision. I also recommend DHS delay a public announcement for Honduras until November 27, to prevent TPS issues from unduly influencing the November 26 presidential election.

Sincerely,



Rex W. Tillerson

Enclosures:

As stated.

PRE-DECISIONAL / DELIBERATIVE

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director (MS 2000)
Washington, DC 20529-2000



U.S. Citizenship
and Immigration
Services

November 3, 2017

DECISION

MEMORANDUM FOR THE SECRETARY

FROM: L. Francis Cissna 
Director

SUBJECT: Haiti's Designation for Temporary Protected Status

Purpose: Haiti's existing designation for Temporary Protected Status (TPS) will expire on January 22, 2018. At least 60 days before the expiration of a TPS designation, the Secretary, after consultation with appropriate U.S. Government agencies, must review the conditions in a country designated for TPS to determine whether the conditions supporting the designation continue to be met. If the Secretary determines that the country no longer meets the statutory conditions for designation, she shall terminate the designation. If the Secretary does not determine, however, that the conditions for designation are no longer met, the TPS designation will be extended for 6 months, or in the Secretary's discretion, 12 or 18 months.¹

U.S. Citizenship and Immigration Services (USCIS) has completed a review of the conditions in Haiti and is presenting options and a recommendation for your consideration. In summary, USCIS assesses that Haiti has made significant progress in recovering from the 2010 earthquake and no longer continues to experience the extraordinary and temporary conditions that formed the basis of Haiti's designation and redesignation of TPS. Accordingly, USCIS recommends that you terminate Haiti's TPS designation.

As part of the review process, USCIS has consulted with the Department of State (DOS). Secretary Tillerson has assessed the conditions in Haiti and recommends that you terminate Haiti's TPS designation, with a delayed effective date of 18 months.

Haiti's TPS Designation: Following the devastating magnitude 7.0 earthquake that struck Haiti on January 12, 2010, former Secretary Napolitano designated Haiti for TPS on January 21, 2010, due to extraordinary and temporary conditions resulting from the earthquake.² The designation

¹ See Immigration and Nationality Act (INA) § 244(b)(3)(A-C), 8 U.S.C. § 1254a(b)(3)(A-C); see also Attachment A: Temporary Protected Status Legal Authority.

² See Designation of Haiti for Temporary Protected Status, 75 Fed. Reg. 3476 (Jan. 21, 2010).

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 2

was based on extraordinary and temporary conditions³ rather than environmental disaster⁴ because the Haitian government had not requested designation for TPS—a statutory requirement for a designation based on an environmental disaster.

The reasons provided for Haiti's designation for TPS in the Federal Register at the time of the initial 2010 designation included the 7.0 magnitude earthquake that “destroyed most of the capital city;” the “substantial” death toll; that “one third of Haiti’s population” was affected by the earthquake; that “concrete homes [had] collapsed and hospitals [were] overflowing with victims;” the destruction of many government buildings, including the Presidential Palace; the “severely affected” critical infrastructure, including electricity, water, telephone, roads, the airport, hospitals, and schools; scarcity of food, water, and fuel. At the time, the Secretary estimated that there would be between 100,000 and 200,000 nationals of Haiti who would be eligible for TPS.

The Secretary then extended the existing designation and redesignated Haiti for TPS on May 19, 2011.⁵ The reasons provided for Haiti's 2011 redesignation and extension of TPS in the Federal Register included that the 2010 earthquake remained responsible for more than one million Haitians left homeless or living in 1,300 internally displaced persons (IDP) camps that were “crowded and vulnerable to flooding, crime (including gender-based violence), and disease;” and the cholera outbreak. Additionally, the notice reiterated the high death toll and large number of persons affected by the 2010 earthquake, and the large number of buildings destroyed by the earthquake. At the time, the Secretary estimated that approximately 10,000 additional individuals would be eligible for TPS under the redesignation.

Haiti's designation has been extended four times since the 2011 redesignation. On May 24, 2017, former Secretary Kelly extended Haiti's TPS designation for a limited period of 6 months, with strong public messaging to the Haitian community to prepare for their return to their homeland.⁶

To be eligible for TPS under Haiti's designation, along with meeting the other eligibility requirements, individuals must have continuously resided in the United States since January 12, 2011, and have been continuously physically present in the United States since July 23, 2011. There are approximately 58,700 Haitian TPS beneficiaries.⁷ Of the 46,000 re-registration applications USCIS estimated it would receive for the recent six-month extension, USCIS has received approximately 40,000 to date. Based on these statistics, USCIS estimates the filing of approximately 40,000 re-registration applications if Haiti's designation for TPS is extended.

³ INA § 244(b)(1)(C).

⁴ INA § 244(b)(1)(B).

⁵ See Extension and Redesignation of Haiti for Temporary Protected Status, 76 Fed. Reg. 29,000 (May 19, 2011).

⁶ See Extension of the Designation of Haiti for Temporary Protected Status, 82 Fed. Reg. 23,830 (May 24, 2015).

⁷ This total represents all individuals who have been granted TPS since Haiti's designation in 2010, and who have not had their TPS withdrawn. Individuals may not re-register for a variety of reasons, including adjustment to another valid immigration status, departure from the United States, or no longer being eligible for TPS. As a result, the number of beneficiaries that USCIS expects to file for re-registration for TPS is lower than the total number of current beneficiaries.

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 3

Current Country Conditions: USCIS has conducted an in-depth review of conditions in Haiti. The full report, upon which USCIS' assessment and recommendation are based, can be found in Attachment B. In summary, Haiti has made significant progress in recovering from the 2010 earthquake, and no longer continues to meet the conditions for designation.

Haiti is the poorest country in the western hemisphere, but it had enormous problems long before, and unrelated to, the 2010 earthquake. While lingering effects of the 2010 earthquake remain in housing, infrastructure, damage to the economy, health, sanitation services, security risks, and emergency response capacity, Haiti has made significant progress in addressing issues specific to the earthquake. The number of IDPs from the earthquake has continued to decline. Since July 2010, 98% of the sites for IDPs have closed, and only approximately 38,000 of the estimated 2 million Haitians who lost their homes in the earthquake are still living in camps as of June 2017. For those who do remain in these camps, gender-based violence continues to be a serious concern, and a lack of personal security is pervasive, but neither is a post-earthquake phenomenon.

Additionally, the withdrawal of the United Nation's peacekeeping mission (MINUSTAH) has gone smoothly, reflecting increased confidence in Haiti's ability to conduct its own policing. On October 16, 2017, it was replaced by a successor operation (MINUJUSTH), a police-only force, that will focus on strengthening rule of law; supporting and further developing the National Police; and engaging in human rights monitoring, reporting, and analysis.

Haiti successfully completed its presidential election in February 2017. The 2010 earthquake destroyed key government infrastructure, including dozens of primary federal buildings. The Supreme Court of Justice is already reconstructed and operational and President Moïse is marshalling plans for Haiti's continued recovery and redevelopment. In April 2017, President Moïse announced a project to rebuild Haiti's National Palace, but reconstruction has not yet commenced.

Following the earthquake that struck Haiti in January 2010, U.S. Immigration and Customs Enforcement (ICE) ceased removing Haitians to Haiti. In 2011, ICE resumed the removal of Haitians on a limited basis – specifically, those who had final orders of removal and had been convicted of a serious crime. On September 22, 2016, former Secretary of Homeland Security, Jeh Johnson, announced that DHS would resume removals of Haitian nationals in accordance with ICE's existing enforcement priorities. Secretary Johnson's announcement included the following rationale for the resumption of removals: “[T]he situation in Haiti has improved sufficiently to permit the U.S. government to remove Haitian nationals on a more regular basis, consistent with the practice for nationals from other nations.” In total, ICE has removed over 1,100 Haitians from fiscal years 2014-2016 (382 in 2014, 433 in 2015, and 310 in 2016).

Annual GDP growth following the 2010 earthquake has been erratic, but predominantly positive, ranging from as low as -5.5% (2010) to as high as 5.5% (2011), and averaging 1.9% over the period.

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 4

Year	GDP growth (annual %)
2005	1.805
2006	2.249
2007	3.343
2008	0.844
2009	3.083
2010	-5.498
2011	5.524
2012	2.885
2013	4.234
2014	2.797
2015	1.185
2016	1.4

In May 2017, an estimated 5.8 million people (over 50 percent of the population) suffered from food insecurity, as compared to 3.2 million in September 2016. The deterioration in food security is the consequence of Hurricane Matthew's severe impact on southwest Haiti. Food insecurity is expected to be further impacted by Hurricane Irma, which struck Haiti in September. Haiti's weak public health system has grappled with a cholera epidemic that began in 2010 in the aftermath of the earthquake, but cholera is currently at its lowest level since the outbreak started. Currently, Haiti's food insecurity problems seem related to tropical storms and a drought rather than from lingering effects of the 2010 earthquake.

Options

Your options include the following actions:

1) *Extend Haiti's Designation for TPS*

As described above, USCIS has concluded that the specific extraordinary and temporary conditions stemming from the 2010 earthquake which caused Haiti to be initially designated for TPS and to be redesignated in 2011 have been largely ameliorated. Haitian nationals may safely return to Haiti as evidenced by DHS's decision to resume removals to Haiti in 2016. Additionally, it is not in the national interest to extend a TPS designation when the specific extraordinary and temporary conditions giving rise to a TPS designation no longer exist. Haiti was initially designated for TPS in 2010 as a result of the damage caused by a major earthquake. The review of conditions in Haiti indicates that significant progress has been made in reconstruction and recovery efforts and Haiti's current challenges cannot be directly tied to the 2010 earthquake.

Although USCIS assesses otherwise, under the TPS statute, if you determine that those extraordinary and temporary conditions caused by the 2010 earthquake and the 2011 redesignation continue to exist, you must extend the TPS designation for an additional period of 6, 12, or 18 months. Should the decision be made to extend based upon these subsequent challenges hindering recovery, from a USCIS operational perspective, extension periods of less than 18 months are

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 5

challenging given the significant workload and timeframes involved in receiving and adjudicating re-registration applications and issuing new employment authorization documents.

2) *Terminate Haiti's Designation for TPS*

If you determine that Haiti no longer continues to meet the statutory requirements for its TPS designation, you must terminate TPS for Haiti. Upon the termination of TPS, former beneficiaries without another immigration status or authorization to remain would no longer have permission to work and remain in the United States. They may, however, apply for any other immigration benefits for which they may be otherwise eligible (e.g., asylum, lawful permanent residence, or nonimmigrant status). As explained above, USCIS assesses that termination is warranted because extraordinary and temporary conditions preventing Haitians from returning in safety no longer exist. Any current issues in Haiti are unrelated to the 2010 earthquake.

If you decide to terminate Haiti's designation, you may determine the appropriate effective date of the termination. In doing so, you have the option to provide for an orderly transition period (e.g., 6, 12, or 18 months) after which TPS documentation will end. Although former Secretary Kelly put current Haitian TPS beneficiaries on notice that the status could be subsequently terminated when he authorized the 6-month extension, a delay of the effective date would provide those beneficiaries without any other immigration status a reasonable amount of time following the announcement of termination of the designation to plan and prepare for their departure from the United States. Note that the effective date of termination may not be earlier than 60 days after the date the *Federal Register* notice announcing the termination is published or, if later, the expiration of the most recent previous extension.

3) *Redesignate Haiti for TPS*

In addition to making a decision to terminate or extend Haiti's TPS designation, you could also consider redesignating the country for TPS. A decision to redesignate a country for TPS, unlike termination or extension, is entirely at your discretion: if the statutory conditions are met, you may, but do not have to, redesignate a country for TPS. The most significant recent event that could be considered in support of a redesignation is the destruction caused by Hurricane Matthew in October of 2016, but USCIS is not recommending redesignating Haiti for TPS on that basis as any extraordinary and temporary conditions that may have resulted from that event do not currently prevent Haitian nationals from returning to their country in safety.

4) *No Decision/Automatic Extension*

Upon review of the assessment, you could also choose not to make a determination about whether Haiti's TPS designation should be extended or terminated at this time. If you do not make a decision at least 60 days prior to its expiration date, by statute, its period of designation will be automatically extended for 6 additional months (or, in your discretion, a period of 12 or 18 months). You could affirmatively choose not to make a decision about whether the conditions supporting Haiti's designation continue to be met and announce the automatic extension of 6 (or 12 or 18) months, noting that the Secretary will then review conditions prior to the expiration of that extension.

PRE-DECISIONAL / DELIBERATIVE

Timeliness: You are required to provide timely notice of whether existing TPS designations will be extended or terminated through publication in the *Federal Register*.⁸ Your earliest decision will facilitate publication of notice in the *Federal Register* sufficiently in advance of the January 22, 2018 expiration of Haiti's designation, providing predictability and clarity to Haitian nationals with TPS and their employers. By statute, if you do not make a decision at least 60 days before the expiration of the current designation (i.e., by November 23, 2017), then Haiti's designation will automatically be extended for a minimum of 6 months.⁹

Recommendation: Upon consideration of all of the factors, USCIS recommends that you terminate Haiti's existing designation for TPS based on the extraordinary and temporary conditions resulting from or following the 2010 earthquake. If you decide to terminate, USCIS recommends terminating with an effective date delayed by 6, 12, or 18 months to permit an orderly transition.

Decision:

1. Extend: Extend Haiti's existing designation for (circle one):

6 months

12 months

18 months

Approve/date _____

2. Terminate: Terminate Haiti's designation with an orderly transition period of (circle one or specify period):

6 months

12 months

18 months

Other _____

Approve/date 11/20/17

3. Redesignate: Extend Haiti's existing designation and simultaneously redesignate Haiti:

Specify duration of redesignation (6-18 months): _____

Specify continuous residence date for eligibility under redesignation (currently January 12, 2011): _____

Approve/date _____

⁸ See INA § 244(b)(3)(A).

⁹ See INA § 244(b)(3)(A), (C).

Haiti's Designation for Temporary Protected Status
Page 7

4. *No Decision/Automatic Extension: Delay a decision on Haiti's designation, resulting in an extension of (circle one):*

6 months

12 months

18 months

Approve/date _____

Attachments:

Attachment A: Temporary Protected Status Legal Authority

Attachment B: USCIS RAIO Research Unit Report on Conditions in Haiti

Attachment C: DOS Recommendations

SENSITIVE BUT UNCLASSIFIED

**DEPARTMENT OF STATE RECOMMENDATION REGARDING
TEMPORARY PROTECTED STATUS (TPS) FOR HAITI – 2017**

I. Statutory Basis for Designation

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

(SBU) Yes, the conditions have ceased to exist. The extraordinary and temporary conditions that served as the basis for Haiti's most recent designation have sufficiently improved such that they no longer prevent nationals of Haiti from returning in safety. Former Secretary of Homeland Security Janet Napolitano originally designated Haiti for TPS effective January 21, 2010, on the basis of extraordinary and temporary conditions in the wake of Haiti's 2010 earthquake. Since 2010, a 2011 re-designation and four subsequent extensions of TPS designation for Haiti have been made by DHS Secretaries. The most recent extension, effective from July 23, 2017 – January 22, 2018, cited not only temporary and extraordinary conditions in the wake of the 2010 earthquake, but subsequent conditions, including: 2016's Hurricane Matthew, April 2017 heavy rains and landslides, security vulnerabilities that some Haitians who reside in Internally Displaced Persons (IDP) areas experience, and health vulnerabilities due to a weak public health system, which has been strained by a cholera epidemic. The extension also noted Haiti's serious economic and security challenges (82 FR 23830).

(SBU) Country conditions have improved since the January 2010 earthquake. The IDP population has decreased 97 percent from its peak in 2010. A legitimized government is in place after two years of electoral impasse. As of October 15, 2017, all UN military personnel have been withdrawn from Haiti; to be replaced by a police only successor mission focused on strengthening rule of law and promoting human rights.

(SBU) Specific lingering effects of the earthquake remain in the areas of infrastructure, health, sanitation services, and emergency response capacity. Although significant steps have been taken to improve the stability and the quality of life for Haitian citizens, Haiti continues to lack the capacity to ensure that the large population TPS beneficiaries currently residing in the United States can return in safety. However, Haiti maintains the ability safely to receive traditional levels of returned Haitian nationals, and is currently doing so.

(SBU) Based on these facts, we assess that the extraordinary and temporary conditions that served as the basis for Haiti's most recent designation have sufficiently improved such that they no longer prevent nationals of Haiti from returning in safety.

A. Armed Conflict

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

(U) No.

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

-2-

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

(U) N/A.

B. Environmental Disaster

1. Does there continue to be a substantial, but temporary, disruption of living conditions in the area affected by the environmental disaster?

(U) N/A.

2. Is the foreign state still unable, temporarily, to handle adequately the return to the state of aliens who are nationals of the state?

(U) N/A.

3. Does the foreign state continue to support the TPS designation?

(U) N/A.

C. Extraordinary and Temporary Conditions

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) No. In the wake of the 2010 earthquake, 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 long-term temporary facilities spread throughout the city. However, country conditions and the Government of Haiti's capacity have improved sufficiently to allow for the safe return of a moderate flow of Haitian nationals.

(SBU) Since the earthquake, the IDP population had decreased 97 percent (from two million to 37,000) from its estimated peak in 2010, to the point where today, just 27 of the original 1,555 IDP sites remain open. Despite these gains, gender-based violence in the IDP areas remains a serious concern, and personal security is a serious and pervasive problem. An estimated 41,000 Haitians who have been made homeless as a result of various natural disasters since 2010, including Hurricane Matthew in 2016, affecting Haiti remain in IDP areas.

(SBU) With more than a half its total population living in extreme poverty, Hurricane Matthew demonstrated Haiti's weakened ability to cope, recover, and adapt to shocks from natural disasters. This fragility was exposed again most recently by Hurricane Irma, which temporarily displaced over 10,000 people into shelters and exacerbated an existing food security crisis on the northern coast.

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

-3-

(SBU) With the withdrawal of the United Nations Stabilization Mission in Haiti's (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.

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) No. Permitting Haitians to remain temporarily in the United States would not be contrary to the U.S. national interest. Current TPS beneficiaries have been in TPS status in the United States for six or seven years. The population has been stable and has successfully settled there. The current practice of returning newly arrived illegal migrants via the resumed non-criminal deportation flights has greatly disincentivized new attempts at large-scale illegal migration.

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) An abrupt termination of TPS for Haiti that does not provide a period for an orderly transition could jeopardize progress made in our bilateral relationship, particularly our robust partnership with Haiti on migration.

(SBU) Setting a Negative Historical Precedent: Approximately 58,706 Haitians received TPS benefits following the 7.0 magnitude earthquake in 2010. Since 1990 when the TPS statute was passed, approximately 22 countries have been designated under the statute. Only three countries have had their TPS designation terminated without a period of at least six months provided for orderly transition – those cases involved beneficiary populations of as few as 316, and as many as 4,018. The average duration of a TPS designation has been 8.5 years. By this measure, an immediate effective date for termination of Haiti's TPS designation would be a statistical outlier. Haiti has been designated for TPS for less than eight years, and its sudden termination with no delay in effective date to allow for orderly transition period would affect 14 times more people than the largest group of TPS beneficiaries whose status was terminated without an extended transition period (which last occurred in 1993).

(SBU) A Cooperative Partnership: Haiti is a committed and cooperative partner in stemming the irregular flow of migrants to the United States, accepting regular deportation flights, and preventing further illegal migration of Haitians upon their return. This cooperation was best exemplified through their support in managing the irregular flow of Haitian migrants arriving at the U.S. southwest border with Mexico in 2016. Despite political turmoil and economic uncertainty in Haiti, when more than 6,500 Haitians presented themselves at U.S. ports of entries (a 1,300 percent increase from 2015), the Haitian government agreed to receive non-criminal

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

-4-

deportation flights for the first time since the 2010 earthquake. This proved to be a strong deterrent mechanism, bringing a near cessation of Haitians presenting themselves at the U.S. southwest border. To date, Haiti has accepted over 5,200 deportees.

(SBU) Haiti has also shown a commitment to adequately prepare in the event TPS is terminated. Since then-DHS Secretary Kelly's visit to Haiti on May 31, Haiti has made the following preparations:

- **(SBU) Establishment of a Working Group:** The Government of Haiti established a minister-level working group focused on efforts to mitigate factors that cause Haitians to migrate illegally. A sub-group was created in order to focus specifically on preparations for the possible DHS termination of TPS; understanding the need to ensure employment opportunities exist for TPS beneficiaries when they return to Haiti.
- **(SBU) Outreach to Diaspora Leaders:** Haiti's Ambassador in Washington has worked to raise awareness amongst influential diaspora leaders, so they can effectively share information with the Haitian community in the United States on how a policy change will affect them.
- **(SBU) Providing Legal Assistance:** The Haitian Mission in the United States established a hotline to provide legal assistance by way of immigration attorneys.

(SBU) Implications of a Termination: While the Haitian government has exemplified its commitment to remain a cooperative partner of the United States, an abrupt DHS termination of TPS benefits for Haitian beneficiaries would jeopardize this progress. It would also threaten the strides the Government of Haiti has made towards political stability. After two years of electoral impasse, President Jovenel Moise and his government have been legitimized and are able to focus on developing a more secure, stable, and self-sufficient Haiti. It is in our interest to remain committed to the country's long-term security, democratic development, and economic growth, as well as to recognize when adequate conditions exist to warrant DHS termination of TPS.

(SBU) An immediate DHS termination of benefits at this juncture, when Haiti is focused on developing opportunities that allow Haitians to stay and help build their country, would have implications not only for Haiti's stability, but for the region. Haitians who are involuntarily returned to a country that is not yet able to handle the influx of returns would further incentivize illegal migration, to the United States and other destinations. This would strain the already limited resources of our North American, Central American, and Caribbean partners. To this end, such an irregular flow of Haitian migrants, similar to what was seen in 2016, could threaten the progress made on the U.S. strategy in Central America, and the efforts we have made to further secure our borders. It is therefore in the national security interests of the United States to ensure an orderly transition of Haitian TPS beneficiaries.

III. Recommendation

(SBU) The extraordinary and temporary conditions that served as the basis for the 2010 designation and 2011 re-designation have sufficiently improved such that they no longer prevent nationals of Haiti from returning in safety. However, lingering issues from the 2010 earthquake, the aftermath of Hurricane Matthew in 2016, the heavy rains and landslides in 2017, Hurricane

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

-5-

Irma in September 2017, and the additional effects of the cholera epidemic continue to affect Haiti. It is in the national interest of the United States to ensure that Haiti's inability to absorb a large number of TPS beneficiaries does not jeopardize the progress Haiti has made in receiving criminal and noncriminal deportees from the United States. **Based on these factors, the Department recommends that the Acting Secretary of Homeland Security designate an effective date to provide TPS benefits for an additional 18 months beyond the end of the current designation to provide the Haitian government with adequate time to prepare for the safe reintegration of approximately 58,706 Haitians.**

SENSITIVE BUT UNCLASSIFIED

Attachment A - Temporary Protected Status (TPS) Legal Authority

Pursuant to section 244(b)(1) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1254a(b)(1), the Secretary of Homeland Security, after consultation with appropriate agencies of the Government, may designate a foreign State (or part thereof) for TPS. The Secretary may then grant TPS to eligible nationals of that foreign State (or aliens having no nationality who last habitually resided in that State).

At least 60 days before the expiration of a TPS designation, the Secretary, after consultations with appropriate agencies of the Government, must review the conditions in a foreign State designated for TPS to determine whether the conditions for the TPS designation continue to be met and, if so, the length of an extension of the TPS designation. *See* INA § 244(b)(3)(A)-(C); 8 U.S.C. § 1254a(b)(3)(A)-(C). If the Secretary determines that the foreign State no longer meets the conditions for the TPS designation, he or she must terminate the designation. *See* INA § 244(b)(3)(B); 8 U.S.C. § 1254a(b)(3)(B). Although the Secretary must make the determination on extension or termination at least 60 days before the expiration of the TPS designation, publication of the required *Federal Register* notice announcing the decision must be “on a timely basis.” *See* INA § 244(b)(3)(A), 8 U.S.C. § 1254a(b)(3)(A). There is also an automatic, minimum six-month extension of a country’s TPS designation if the Secretary does not make a decision under INA § 244(b)(3)(A); 8 U.S.C. § 1254a(b)(3)(A) that the foreign state no longer meets the conditions for designation. *See* INA § 244(b)(3)(C); 8 U.S.C. § 1254a(b)(3)(C).

After the Secretary designates a country for TPS, nationals of the country (and persons without nationality who last habitually resided in the country) may apply for TPS, but they must individually demonstrate their eligibility pursuant to the criteria established in INA § 244(c) ; 8 U.S.C. § 1254a(c), and the TPS regulations at 8 C.F.R. part § 244. These criteria include, but are not limited to, requirements that the applicant show continuous physical presence in the United States since the effective date of the country designation and continuous residence since such date as the Secretary determines; admissibility as an immigrant (with limited exceptions); that the applicant is not ineligible under certain mandatory criminal history, terrorism, and national security bars as specified in INA § 244(c)(2)(A-B); 8 U.S.C. § 1254a(c)(2)(A)-(B), and that the applicant is registering for TPS in accordance with regulatory procedures in 8 C.F.R. §§ 244.2 – 244.9.

If granted TPS, the individual receives employment authorization and an Employment Authorization Document, if requested, that is valid for the period that he or she holds TPS. TPS is a temporary benefit that does not lead to lawful permanent residence or confer any other immigration status. When a TPS country designation ends, TPS beneficiaries maintain the same immigration status, if any, that they held prior to TPS (unless that status has expired or been terminated) or any other status they may have acquired while registered for TPS.



U.S. Citizenship
and Immigration
Services

TPS CONSIDERATIONS: HAITI (OCTOBER 2017) NATURAL DISASTER

BACKGROUND & OVERVIEW

The January 12, 2010 earthquake that struck Haiti caused extensive damage to the country's physical infrastructure and public health, agricultural, housing, transportation, and educational facilities. Haitian government estimates of the death toll caused by the earthquake have ranged from 230,000 to as high as 316,000 people, though the accuracy of differing estimates is in dispute.¹ Estimates of people internally displaced range from approximately 1.5 million² to 2.3 million³ at the peak of displacement.

Although some progress regarding reconstruction and recovery has been made in a variety of sectors, billions of dollars in pledged foreign assistance never materialized, and the pace and scope of Haiti's recovery has been uneven.⁴ Many of the conditions prompting the original January 2010 TPS designation persist, and the country remains vulnerable to external shocks and internal fragility. Haiti has also experienced various setbacks that have impeded its recovery, including a cholera epidemic and the impact of Hurricane Matthew—the latter of which struck Haiti in October 2016 and “severely worsened the pre-existing humanitarian situation” in the country.⁵ As of August 2017, Haiti “continues to be affected by a convergence of humanitarian needs,”⁶ including food insecurity, internal displacement, an influx of returnees from the Dominican Republic, the persistence of cholera, and the lingering impact of various natural disasters.⁷ Moreover, Haiti's recovery has also been impacted by a series of other challenges

¹ O'Conner, Maura R., Two Years Later, Haitian Earthquake Death Toll in Dispute, Columbia Journalism Review, Jan. 12, 2012.

² Status of Post-Earthquake Recovery and Development Efforts in Haiti (December 2014), U.S. Department of State, Dec. 2014.

³ Key Statistics, Office of the Secretary-General's Special Adviser on Community-Based Medicine & Lessons from Haiti, United Nations, 2012.

⁴ US Gives Haitian Immigrants 6-month TPS Extension, Voice of America News, May 22, 2017; Charles, Jacqueline, Senate Democrats to Trump administration: Let Haitians stay, Miami Herald, Apr. 27, 2017.

⁵ Haiti: Humanitarian Snapshot (June 2017), United Nations Office of the Coordination of Humanitarian Affairs (UNOCHA), Jul. 4, 2017.

⁶ Haiti - Humanitarian Situation Report - August 2017, United Nations Children's Fund (UNICEF), p.1, Aug. 2017.

⁷ Haiti: Humanitarian Snapshot (June 2017), United Nations Office of the Coordination of Humanitarian Affairs (UNOCHA), Jul. 4, 2017; Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.5, Jun. 11, 2017.

TPS Considerations: Haiti

Page 2

related to housing, healthcare, economic growth, political instability, security, and environmental concerns.

HOUSING SHORTAGE & INTERNAL DISPLACEMENT

Even before the 2010 earthquake, Haiti faced a substantial national housing deficit, estimated at 700,000 housing units.⁸ With an estimated \$2.3 billion in damages—approximately 40% of the total—housing was the sector most impacted by the earthquake.⁹ The Haitian government estimated that 105,000 houses were destroyed and 188,383 houses collapsed or suffered considerable damage.¹⁰ The International Organization for Migration (IOM) claimed that 1.5 million Haitians were internally displaced and moved into internally displaced person (IDP) camps and other temporary sites following the disaster.¹¹

While the number of IDP camps/sites and displaced individuals from the 2010 earthquake have significantly declined, Haiti still faces considerable obstacles related to housing. According to data from the International Organization for Migration (IOM), from July 2010 to June 2017, there has been a net decrease in displacement by 97 percent, and 98 percent of sites have closed.¹² However, as IOM reported in June 2017, “Camp closures, relocation and rental subsidy programs began decreasing substantially in March 2015, a trend which continues today.”¹³ According to Amnesty International, many individuals who have left the IDP camps/sites have reportedly “moved back to unsafe houses or started building or reconstructing their houses, in most cases with no assistance or guidance, and often in informal settlements located in hazardous areas.”¹⁴ Amnesty International has also claimed that over 60,000 IDPs have been forcibly evicted from camps since 2010 by private landowners, often with the assistance or implicit support of Haitian authorities.¹⁵

As of June 2017, around 37,867 IDPs (9,347 households) were still living in 27 camps.¹⁶ According to IOM, the number of organizations providing assistance to IDPs has declined in

⁸ Ten facts about Haiti’s housing crisis, Amnesty International, Jan. 12, 2015, <https://www.amnesty.org/en/articles/news/2015/01/ten-facts-about-haiti-s-housing-crisis/>, (last visited Aug. 16, 2017).

⁹ Ten facts about Haiti’s housing crisis, Amnesty International, Jan. 12, 2015, <https://www.amnesty.org/en/articles/news/2015/01/ten-facts-about-haiti-s-housing-crisis/>, (last visited Aug. 16, 2017).

¹⁰ Key Statistics, Office of the Secretary-General’s Special Adviser on Community-Based Medicine & Lessons from Haiti, United Nations, 2012.

¹¹ Five Years After 2010 Earthquake, Thousands of Haitians Remain Displaced, International Organization for Migration, Jan. 9, 2015, <https://www.iom.int/news/five-years-after-2010-earthquake-thousands-haitians-remain-displaced>, (last visited Aug. 16, 2017).

¹² IOM Haiti – DTM Report – June 2017, International Organization for Migration, p.5, June 2017.

¹³ IOM Haiti – DTM Report – June 2017, International Organization for Migration, p.5, June 2017.

¹⁴ Haiti: internal displacement, forced evictions, statelessness - the catalogue to violations continue, Amnesty International, p.6, Mar. 31, 2016.

¹⁵ “15 Minutes to Leave”: Denial of the Right to Adequate Housing in Post-Quake Haiti, Amnesty International, p.9, 21, Jan. 2015; Haiti: internal displacement, forced evictions, statelessness - the catalogue to violations continue, Amnesty International, p.6, Mar. 31, 2016.

¹⁶ IOM Haiti – DTM Report – June 2017, International Organization for Migration, p.5, June 2017.

TPS Considerations: Haiti

Page 3

recent years, and “living conditions in the camps are precarious and access to basic services remains a major challenge for the displaced population.”¹⁷ A vast majority of the aforementioned individuals still living in camps/sites “are currently not targeted by partners for durable solutions.”¹⁸

In October 2016, Hurricane Matthew impacted over 236,000 homes—“of which 44% were destroyed and 42% severely damaged”¹⁹—and displaced approximately 175,000 people in Haiti.²⁰ In areas most affected by the storm, approximately 90% of homes were destroyed.²¹ IOM reported in June 2017 that 3,597 individuals were living in 48 displacement sites due to the impact of Hurricane Matthew and spring flooding in Grande’ Anse and Sud departments^{22, 23}.

While post-earthquake IDP camps are closing, Haiti’s housing shortage remains far from resolved. The 2010 earthquake exacerbated the country’s pre-existing shortage of adequate and affordable housing.²⁴ The Government of Haiti has estimated that the country will need as many as 500,000 additional housing units over the next 10 years to make up for its shortage prior to the earthquake, to replace housing lost as a result of damage from the disaster, and to accommodate projected urban growth.²⁵

CHOLERA EPIDEMIC & HEALTHCARE

Haiti’s longstanding public health challenges were exacerbated by the January 2010 earthquake and an ongoing cholera epidemic that started in October 2010.²⁶ According to the U.S. Agency for International Development (USAID), “even before the 2010 earthquake, Haiti’s healthcare system was not able to respond to the needs for basic healthcare services.”²⁷ The 2010 earthquake significantly impacted Haiti’s health sector, destroying 50 health centers, the Ministry of Health, and part of the country’s primary teaching hospital.²⁸ Damages from both the 2010 earthquake and Hurricane Matthew in October 2016—the latter of which affected 99

¹⁷ IOM Haiti – DTM Report – June 2017, International Organization for Migration, p.6, June 2017.

¹⁸ IOM Haiti – DTM Report – June 2017, International Organization for Migration, p.5, June 2017.

¹⁹ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Jun. 11, 2017.

²⁰ Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017.

²¹ Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017.

²² Haiti is divided administratively into 10 departments. See The World Factbook: Haiti, CIA, Jul. 27, 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html>, (last visited Aug. 17, 2017).

²³ IOM Haiti – DTM Report – June 2017, International Organization for Migration, p.8, June 2017.

²⁴ Haiti - Housing and Settlements Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

²⁵ Haiti - Housing and Settlements Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

²⁶ Haiti - Health Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

²⁷ Haiti – Health Infrastructure Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

²⁸ Haiti – Health Infrastructure Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017; Haiti - Health Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

TPS Considerations: Haiti

Page 4

health facilities²⁹—“exacerbated an existing lack of adequate health infrastructure, such as health care and storage facilities, as well as access to electricity, clean water and sanitation systems.”³⁰

In June 2017, the United Nations Economic and Social Council reported that “Haiti has some of the worst health indicators in the world, which continue to stymie economic development.”³¹ Approximately 40 percent of the population lacks access to fundamental health and nutrition services.³² Maternal and infant mortality rates are respectively three and five times higher than the regional averages,³³ and “only 45 percent of all children between the ages of 12 months and 23 months are fully vaccinated.”³⁴ Public spending in the health sector is low, and the country has a limited number of health professionals and a deficit of health infrastructure.³⁵

A cholera epidemic that began in October 2010—reportedly the largest such outbreak of cholera in recent history—remains ongoing and continues to place additional strains on Haiti’s beleaguered public health system.³⁶ From October 2010 through June 2017, there have been an estimated 813,000 cases of cholera in Haiti, and 9,676 people have been killed by the disease (which was allegedly introduced by United Nations peacekeepers).³⁷

While progress has been made in combatting cholera since the peak of the epidemic in 2011,³⁸ cholera has become endemic in Haiti, “with seasonal peaks regularly triggering emergency interventions.”³⁹ In 2016, the number of suspected cholera cases increased, mainly due to a spike in suspected cases in areas affected by Hurricane Matthew in the aftermath of the storm.⁴⁰

²⁹ Haiti: Hurricane Matthew Humanitarian Dashboard (as of Feb. 2017), United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.1, Mar. 3, 2017.

³⁰ Haiti - Health Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

³¹ Report of the Ad Hoc Advisory Group on Haiti, United Nations Economic and Social Council, p.4, Jun. 29, 2017.

³² Report of the Ad Hoc Advisory Group on Haiti, United Nations Economic and Social Council, p.4, Jun. 29, 2017.

³³ Better Spending, Better Care: A look at Haiti’s Health Financing, The World Bank, <http://www.worldbank.org/en/country/haiti/publication/better-spending-better-care-a-look-at-haitis-health-financing> (last visited Aug. 21, 2017).

³⁴ Report of the Ad Hoc Advisory Group on Haiti, United Nations Economic and Social Council, p.4, Jun. 29, 2017.

³⁵ Haiti - Health Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

³⁶ Haiti - Health Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017; Lefevre, Adrienne, The Consequences of Contaminated Water, Centers for Disease Control and Prevention, Mar. 21, 2017, <https://blogs.cdc.gov/global/2017/03/21/the-consequences-of-contaminated-water/> (last visited Aug. 21, 2017).

³⁷ Hurricane Matthew: ‘1.4 million need help in Haiti’, Al Jazeera, Oct. 11, 2016; Partlow, Joshua, In the wake of Matthew, Haitian towns struggle with cholera, Washington Post, Oct. 9, 2016; Zavis, Alexandra, U.N. admits a role in deadly Haiti cholera epidemic, Los Angeles Times, Aug. 18, 2016; Yakupitiyage, Tharanga, UN “Profoundly Sorry” for Haiti Cholera Outbreak, Inter Press Service, Dec. 2, 2016; Haiti: Cholera figures (as of 30 June 2017), United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), Jul. 24, 2017.

³⁸ Fact Sheet: Cholera situation in Haiti, 1 January/15 April 2017, United Nations Country Team in Haiti, Apr. 27, 2017.

³⁹ Haiti: Fighting the Spread of Mosquito-Borne Diseases, Doctors Without Borders/Médecins Sans Frontières (MSF), Jul. 24, 2017, <http://www.doctorswithoutborders.org/article/haiti-fighting-spread-mosquito-borne-diseases> (last visited Aug. 21, 2017).

⁴⁰ New approach to cholera in Haiti – Report of the Secretary General, United Nations General Assembly, p.4, May 3, 2017.

TPS Considerations: Haiti

Page 5

While the number of suspected cases of cholera has declined since 2016,⁴¹ Haiti nevertheless remains “extremely vulnerable” to the disease.⁴² According to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), cholera continues to impact Haiti due to a lack of funding for the country’s National Plan for the Elimination of Cholera (PNEC), weak water and sanitation infrastructure, the lack of access to quality medical care, and high population density and mobility to urban areas.⁴³

ECONOMY

Haiti is the poorest country in the Western Hemisphere, with poverty, vulnerability to natural disasters, corruption, and low levels of education serving as significant obstacles to sustained economic development.⁴⁴ Haiti’s weak infrastructure and the difficulty of doing business limit investment, and the country remains vulnerable to damage from natural disasters and dependent on foreign aid or direct budget support for more than 20% of its annual budget.⁴⁵ The 2010 earthquake caused \$7.8 billion in damages and economic losses—“equivalent to more than 120 percent of Haiti’s 2009 gross domestic product (GDP)”⁴⁶—and destroyed an estimated 90 percent of buildings in Port-au-Prince, Haiti’s capital, including hospitals, schools, physical infrastructure, and transportation facilities.⁴⁷ Although Haiti’s economy started to recover from the earthquake—with economic growth at 5.5% in 2011—GDP growth has slowed to 1.2% in 2015 and 1.4% in 2016 as a result of political uncertainty, drought, declining foreign aid, and currency depreciation.⁴⁸ According to June 2017 data from the World Bank, Haiti’s GDP growth is forecasted to further decline to 0.5% in 2017.⁴⁹

While Haiti has made slight improvements in reducing poverty levels and increasing access to education and sanitation since 2000, a 2014 World Bank report noted that the “wealth generated in the country is largely inadequate to meet the needs of the people.”⁵⁰ According to the World Bank, “more than 6 million out of 10.4 million (59%) Haitians live under the national poverty line of US\$ 2.42 per day and over 2.5 million (24%) live under the national extreme poverty line

⁴¹ New approach to cholera in Haiti – Report of the Secretary General, United Nations General Assembly, p.4, May 3, 2017.

⁴² Fact Sheet: Cholera situation in Haiti, 1 January/15 April 2017, UN Country Team in Haiti, Apr. 27, 2017.

⁴³ Haiti: Cholera figures (as of 30 June 2017), United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), Jul. 24, 2017.

⁴⁴ The World Factbook: Haiti, CIA, Jul. 27, 2017,

<https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html>, (last visited Aug. 17, 2017).

⁴⁵ The World Factbook: Haiti, CIA, Jul. 27, 2017,

<https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html>, (last visited Aug. 17, 2017).

⁴⁶ Key Statistics, Office of the Secretary-General’s Special Adviser on Community-Based Medicine & Lessons from Haiti, United Nations, 2012.

⁴⁷ Haiti: Infrastructure, IHS Jane’s Sentinel Security Assessment - Central America and the Caribbean, Aug. 15, 2017, <http://janes.ihs.com/CentralAmericaCaribbean/Display/1302231> (last visited Aug. 25, 2017).

⁴⁸ The World Factbook: Haiti, CIA, Jul. 27, 2017,

<https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html>, (last visited Aug. 17, 2017); Global Economic Prospects: A Fragile Recovery, The World Bank Group, p.90, Jun. 2017.

⁴⁹ Global Economic Prospects: A Fragile Recovery, The World Bank Group, p.90, Jun. 2017.

⁵⁰ Poverty and Inclusion in Haiti: Social gains at timid pace, The World Bank Group, p.1-2, 2014.

TPS Considerations: Haiti

Page 6

of US\$1.23 per day.”⁵¹ An additional one million people are at risk of falling into poverty following an external shock, such as a natural disaster.⁵² An estimated 40% of Haitians are unemployed.⁵³

According to the United Nations Economic and Social Council, Haiti “is highly dependent on remittances from its diaspora.”⁵⁴ Remittances—estimated at over \$2 billion per year in 2015, including more than \$1.3 billion from Haitians living in the United States⁵⁵—are Haiti’s “primary source of foreign exchange, equivalent to more than a quarter of GDP, and nearly double the combined value of Haitian exports and foreign direct investment.”⁵⁶ Moreover, remittances have also “helped to support education, health and the subsistence requirements” of Haiti’s population.⁵⁷

GOVERNANCE & POLITICAL INSTABILITY

Per IHS Jane’s, with its history of political instability, economic struggles, political violence, and pervasive human rights abuses, Haiti “has long been seen as a model of poor and corrupt governance.”⁵⁸ Even before the earthquake, the Haitian government “could not or would not deliver core functions to the majority of its people.”⁵⁹ The January 2010 earthquake had an immediate and significant impact on governance and the rule of law in Haiti, killing an estimated 18 percent of the country’s civil service and destroying key government infrastructure, including the National Palace, the Parliament, 28 of 29 government ministry buildings, the Haitian National Police’s headquarters, and various judicial facilities (including courts and correctional facilities).⁶⁰

On April 19, 2017, Haitian President Jovenel Moïse announced a project to rebuild the National Palace, which was significantly damaged in the 2010 earthquake and subsequently demolished.⁶¹

⁵¹ The World Bank in Haiti: Overview, The World Bank, Jul. 27, 2017, <http://www.worldbank.org/en/country/haiti/overview#1> (last visited Aug. 18, 2017).

⁵² Poverty and Inclusion in Haiti: Social gains at timid pace, The World Bank Group, p.4, 2014.

⁵³ Haiti - Economic Growth & Agricultural Development Fact Sheet, U.S. Agency for International Development (USAID), Mar. 2017.

⁵⁴ Report of the Ad Hoc Advisory Group on Haiti, United Nations Economic and Social Council, p.8, Jun. 29, 2017.

⁵⁵ Remittance Flows Worldwide in 2015, Pew Research Center, Aug. 31, 2016, <http://www.pewglobal.org/interactives/remittance-map/> (last visited Aug. 17, 2017).

⁵⁶ The World Factbook: Haiti, CIA, Jul. 27, 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html> (last visited Aug. 17, 2017).

⁵⁷ Report of the Ad Hoc Advisory Group on Haiti, United Nations Economic and Social Council, p.8, Jun. 29, 2017.

⁵⁸ Haiti: Executive Summary, IHS Jane’s Sentinel Security Assessment - Central America and the Caribbean, Aug. 15, 2017, <http://janes.ihs.com/Janes/Display/haiti010-cac> (last visited Aug. 25, 2017).

⁵⁹ Haiti - Democracy, Human Rights & Governance Fact Sheet, U.S. Agency of International Development (USAID), p.1, Mar. 2016.

⁶⁰ Haiti: Democracy, Human Rights, and Governance, U.S. Agency for International Development (USAID), Jul.24, 2017, <https://www.usaid.gov/where-we-work/latin-american-and-caribbean/haiti/democracy-human-rights-and-governance> (last visited Aug. 22, 2017).

⁶¹ Haiti to rebuild National Palace toppled in 2010 quake, AFP, Apr. 20, 2017; McFadden, David, Haiti to rebuild National Palace smashed in 2010 earthquake, Associated Press, Apr. 19, 2017.

TPS Considerations: Haiti

Page 7

Moïse stated that he would like for construction to start before the end of 2017.⁶² President Moïse also pledged that the Parliament and the Palace of Justice would be rebuilt during his five-year term in office.⁶³ In August 2017, IHS Jane's reported that, among the public buildings destroyed by the earthquake, only the Supreme Court of Justice had been reconstructed and was operational in 2017.⁶⁴ In October 2017, the Haitian government launched an international architecture competition for proposals to rebuild the National Palace.⁶⁵

In June 2016, the October 2015 presidential election results were annulled, and new elections were scheduled for October 2016—yet were subsequently postponed due to the impact of Hurricane Matthew.⁶⁶ On November 20, 2016, Jovenel Moïse, a banana plantation owner, was elected president with enough votes to avoid a run-off.⁶⁷ Moïse was officially declared the winner of Haiti's presidential election on January 4, 2017,⁶⁸ and was sworn in on February 7.⁶⁹ On January 29, 2017, Haiti held elections for eight senators and one seat in the lower chamber of congress.⁷⁰ Nationwide municipal elections were also held on this date for the first time since December 5, 2006.⁷¹

While Haiti successfully completed its electoral process in February 2017 after two years of contested results and political crises, its new government faces various challenges to promote recovery and reconstruction.⁷² According to USAID, although Haiti possesses “the formal structures of a democracy, many of these have yet to become fully functional.”⁷³ Haiti's state institutions lack sufficient resources, and “provide limited services to only a small percentage of the population.”⁷⁴ In late June 2017, the United Nations Economic and Social Council reported that, while Haiti's new government has expressed a desire to improve the country's political and socioeconomic situation, “it is also clear that the Government has limited capacity to ensure a

⁶² Haiti to rebuild National Palace toppled in 2010 quake, AFP, Apr. 20, 2017.

⁶³ McFadden, David, Haiti to rebuild National Palace smashed in 2010 earthquake, Associated Press, Apr. 19, 2017.

⁶⁴ Haiti: Infrastructure, IHS Jane's Sentinel Security Assessment - Central America and the Caribbean, Aug. 15, 2017, <http://janes.ihs.com/CentralAmericaCaribbean/Display/1302231> (last visited Aug. 25, 2017).

⁶⁵ Fulcher, Merlin, Competition: National Palace, Haiti, The Architects' Journal, Oct. 10, 2017, <https://www.architectsjournal.co.uk/competitions/competition-national-palace-haiti/10024240.article> (last visited Oct. 12, 2017); Haiti - FLASH : Architecture Competition for the Reconstruction of the National Palace, Haiti Libre, Oct. 4, 2017.

⁶⁶ Domonoske, Camila, 14 Months After Elections Began, Haiti Finally Has A President-Elect, NPR, Jan. 4, 2017.

⁶⁷ Charles, Jacqueline, Banana farmer wins Haiti presidency, according to preliminary results, Miami Herald, Nov. 28, 2016.

⁶⁸ Haiti: Jovenel Moïse confirmed winner of presidential election, BBC News, Jan. 4, 2017.

⁶⁹ Businessman Jovenel Moïse Sworn In as Haiti's President, Voice of America News, Feb. 7, 2017.

⁷⁰ Low turnout in Haiti's local elections, AFP, Jan. 29, 2017.

⁷¹ McFadden, David, Haiti holds final round of election cycle started in 2015, Associated Press, Jan. 29, 2017; Charles, Jacqueline, Haiti election cycle nears end with Sunday vote and more than 5,000 seats up for grabs, Miami Herald, Jan. 27, 2017.

⁷² Report of the Ad Hoc Advisory Group on Haiti, United Nations Economic and Social Council, p.7, Jun. 29, 2017.

⁷³ Haiti - Democracy, Human Rights & Governance Fact Sheet, U.S. Agency of International Development (USAID), p.1, Mar. 2017.

⁷⁴ Haiti - Democracy, Human Rights & Governance Fact Sheet, U.S. Agency of International Development (USAID), p.1, Mar. 2017.

TPS Considerations: Haiti

Page 8

public administration system that can effectively guarantee the rule of law and a functioning justice system, promote the fight against corruption and effectively protect human rights.”⁷⁵

In early October 2017, the *Miami Herald* reported that, “in recent weeks, Haiti has been engulfed in protests over tax hikes, with massive and sometimes violent street demonstrations.”⁷⁶ Anti-government protests erupted in mid-September after the Haitian parliament approved the government budget, which opponents have argued contains tax increases that would hurt impoverished families.⁷⁷ Multiple demonstrations have occurred since mid-September, and the protests have spread from Port-au-Prince to other areas of the country.⁷⁸ Some of the protests have become violent, with demonstrators reportedly throwing rocks, damaging property, blocking traffic, and burning cars and tires, and the Haitian police responding to the unrest by firing tear gas and water at protesters.⁷⁹ At least two people have been killed and others have been injured during the demonstrations.⁸⁰

SECURITY

By creating new security vulnerabilities and stimulating an increase in crime, the 2010 earthquake had a deleterious impact on public security in Haiti.⁸¹ The escape of thousands of prisoners and the diffusion of gangs throughout Port-au-Prince in the aftermath of the earthquake overwhelmed Haiti’s historically weak justice system and police.⁸² An overall climate of insecurity in IDP camps left many IDPs vulnerable to violence and crime, including gender-based violence, theft, and domestic violence.⁸³ Violence against women reportedly increased in the aftermath of the earthquake.⁸⁴

⁷⁵ Report of the Ad Hoc Advisory Group on Haiti, United Nations Economic and Social Council, p.4-5, Jun. 29, 2017.

⁷⁶ Charles, Jacqueline, Haiti requests 18-month TPS extension from Trump administration, The Miami Herald, Oct. 9, 2017.

⁷⁷ Violence erupts at budget opposition protest in Haiti, Agence France-Presse (AFP), Sep. 30, 2017; HAITI: Budget proves contentious, LatinNews, Regional Report: Caribbean & Central America, Oct. 2017; Charles, Jacqueline, Violent protest erupt in Haiti over budget passed on the eve of Hurricane Irma, The Miami Herald, Sep. 12, 2017.

⁷⁸ Violence erupts at budget opposition protest in Haiti, Agence France-Presse (AFP), Sep. 30, 2017; HAITI: Budget proves contentious, LatinNews, Regional Report: Caribbean & Central America, Oct. 2017; Charles, Jacqueline, Violent protest erupt in Haiti over budget passed on the eve of Hurricane Irma, The Miami Herald, Sep. 12, 2017.

⁷⁹ Violence erupts at budget opposition protest in Haiti, Agence France-Presse (AFP), Sep. 30, 2017; HAITI: Budget proves contentious, LatinNews, Regional Report: Caribbean & Central America, Oct. 2017; Charles, Jacqueline, Violent protest erupt in Haiti over budget passed on the eve of Hurricane Irma, The Miami Herald, Sep. 12, 2017.

⁸⁰ Violence erupts at budget opposition protest in Haiti, Agence France-Presse (AFP), Sep. 30, 2017; HAITI: Budget proves contentious, LatinNews, Regional Report: Caribbean & Central America, Oct. 2017; Charles, Jacqueline, Violent protest erupt in Haiti over budget passed on the eve of Hurricane Irma, The Miami Herald, Sep. 12, 2017.

⁸¹ Berg, Louis-Alexandre, Crime, Politics and Violence in Post-Earthquake Haiti, United States Institute of Peace, p.1-2, Sep. 28, 2010.

⁸² Berg, Louis-Alexandre, Crime, Politics and Violence in Post-Earthquake Haiti, United States Institute of Peace, p.1-2, Sep. 28, 2010.

⁸³ Berg, Louis-Alexandre, Crime, Politics and Violence in Post-Earthquake Haiti, United States Institute of Peace, p.1-2, Sep. 28, 2010.

⁸⁴ Haiti: Violence against women, including sexual violence; state protection and support services (2012-June 2016), Canada: Immigration and Refugee Board of Canada, Dec. 15, 2016 .

TPS Considerations: Haiti

Page 9

Crime rates in Haiti are high, and the general security situation is “unpredictable.”⁸⁵ The U.S. Department of State’s Bureau of Diplomatic Security has reported that homicide, armed robberies, and crimes against persons (including gender-based violence) are major concerns.⁸⁶ Demonstrations, roadblocks, and political rallies regularly occur, and have at times led to violent incidents.⁸⁷ Violence against women is reportedly widespread, and has been characterized as a chronic or systemic problem.⁸⁸ Impunity levels are high, and the capacity of Haiti’s police force is “relatively low.”⁸⁹ In general, Haitians “lack basic policing services,” and criminals are reportedly able to operate without fear of the police.⁹⁰

According to the U.S. Department of State, “rates of kidnapping, murder, and rape rose in 2016.”⁹¹ The Government of the United Kingdom has reported that “crime levels have continued to increase in 2017.”⁹² In July 2017, the United Nations Secretary General reported that, since his previous report in March 2017, “growing tensions linked to socioeconomic grievances notwithstanding, key indicators, including crime and civil protests, remained within historically established statistical parameters.”⁹³

MINUSTAH

In 2004, the United Nations Stabilization Mission in Haiti (MINUSTAH) was established following a rebellion that led to the removal of President Jean-Bertrand Aristide and subsequent violence, including armed clashes, killings, and kidnappings.⁹⁴ In the aftermath of the violence and the establishment of MINUSTAH, “uniformed U.N. troops provided the only real security” in Haiti for years.⁹⁵ However, the Associated Press reported in March 2017 that, “these days, Haiti’s police do most of the heavy lifting and the mood has changed.”⁹⁶

⁸⁵ Haiti – Safety and Security, Government of Canada, Jul. 21, 2017, <https://travel.gc.ca/destinations/haiti> (last visited Aug. 22, 2017); Haiti – Safety and Security, GOV.UK, <https://www.gov.uk/foreign-travel-advice/haiti/safety-and-security> (last visited Aug. 22, 2017).

⁸⁶ Haiti 2017 Crime & Safety Report, U.S. Department of State, Apr. 26, 2017.

⁸⁷ Haiti – Safety and Security, Government of Canada, Jul. 21, 2017, <https://travel.gc.ca/destinations/haiti> (last visited Aug. 22, 2017).

⁸⁸ Haiti: Violence against women, including sexual violence: state protection and support services (2012-June 2016), Canada: Immigration and Refugee Board of Canada, Dec. 15, 2016.

⁸⁹ Haiti: Executive Summary, IHS Jane’s Sentinel Security Assessment - Central America and the Caribbean, Aug. 15, 2017, <http://janes.ihs.com/Janes/Display/haits010-cac> (last visited Aug. 25, 2017).

⁹⁰ Haiti 2017 Crime & Safety Report, U.S. Department of State, Apr. 26, 2017.

⁹¹ Haiti Travel Warning, U.S. Department of State, May 22, 2017, <https://travel.state.gov/content/passports/en/alertswarnings/haiti-travel-warning.html> (last visited Aug. 22, 2017).

⁹² Haiti – Safety and Security, GOV.UK, <https://www.gov.uk/foreign-travel-advice/haiti/safety-and-security> (last visited Aug. 22, 2017).

⁹³ Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, United Nations Security Council, p.5, July 12, 2017.

⁹⁴ Haiti is Ready for UN Peacekeepers to Leave Soon, Associated Press, Mar. 9, 2017.

⁹⁵ Haiti is Ready for UN Peacekeepers to Leave Soon, Associated Press, Mar. 9, 2017.

⁹⁶ Haiti is Ready for UN Peacekeepers to Leave Soon, Associated Press, Mar. 9, 2017.

TPS Considerations: Haiti

Page 10

MINUSTAH's tenure in Haiti has been controversial.⁹⁷ The *Los Angeles Times* has described the U.N. military presence in Haiti as "never really welcome,"⁹⁸ while some Haitians view the U.N. peacekeeping mission as "an occupying force,"⁹⁹ or as an incursion into Haiti's sovereignty.¹⁰⁰ In March 2017, the Associated Press characterized the peacekeepers' tenure as "rocky," noting that they:

have earned praise for boosting security, paving the way to elections and providing crucial support after disasters, particularly the devastating 2010 earthquake. But some troops have also been accused of excessive force, rape and abandoning babies they fathered.¹⁰¹

In addition, U.N. troops from Nepal are "widely blamed" for introducing cholera to the country,¹⁰² with the source of cholera reportedly traced by scientists to a U.N. base.¹⁰³ Moreover, some U.N. troops have reportedly been "implicated in a sexual abuse scandal, including a sex ring that exploited Haitian children."¹⁰⁴

On April 13, 2017, the United Nations Security Council decided that MINUSTAH "would gradually draw down its military component during the next six months, finally withdrawing from Haiti by 15 October 2017."¹⁰⁵ MINUSTAH will be replaced by the United Nations Mission for Justice Support in Haiti (MINUJUSTH), which will seek to "help the Haitian Government strengthen rule-of-law institutions, further develop and support the Haitian National Police and engage in human rights monitoring, reporting and analysis."¹⁰⁶ MINUJUSTH will comprise up to seven Formed Police Units (FPU) consisting of 980 personnel, and 295 Individual Police Officers for an initial six month period from October 16, 2017 to April 15, 2018.¹⁰⁷ In July 2017, the United Nations Secretary General reported that "the ongoing

⁹⁷ Simmons, Ann M., U.N. peacekeepers are leaving after more than two decades, but where does that leave Haiti?, *Los Angeles Times*, Apr. 17, 2017; Lederer, Edith, The U.N. Just Unanimously Voted to End Its Peacekeeping Mission in Haiti, *Associated Press*, Apr. 13, 2017.

⁹⁸ Simmons, Ann M., U.N. peacekeepers are leaving after more than two decades, but where does that leave Haiti?, *Los Angeles Times*, Apr. 17, 2017.

⁹⁹ Haiti is Ready for UN Peacekeepers to Leave Soon, *Associated Press*, Mar. 9, 2017.

¹⁰⁰ Simmons, Ann M., U.N. peacekeepers are leaving after more than two decades, but where does that leave Haiti?, *Los Angeles Times*, Apr. 17, 2017.

¹⁰¹ Haiti is Ready for UN Peacekeepers to Leave Soon, *Associated Press*, Mar. 9, 2017.

¹⁰² Charles, Jacqueline, A Haiti without U.N. peacekeepers? After almost 13 years, it may happen., *Miami Herald*, Feb. 14, 2017.

¹⁰³ Simmons, Ann M., U.N. peacekeepers are leaving after more than two decades, but where does that leave Haiti?, *Los Angeles Times*, Apr. 17, 2017.

¹⁰⁴ Simmons, Ann M., U.N. peacekeepers are leaving after more than two decades, but where does that leave Haiti?, *Los Angeles Times*, Apr. 17, 2017.

¹⁰⁵ Security Council decides UN Mission in Haiti will close by October; approves smaller follow-on operation, *UN News Service*, Apr. 13, 2017.

¹⁰⁶ In visit to Haiti, Security Council delegation to reaffirm support for country's stability and development, *UN News Service*, Jun. 23, 2017.

¹⁰⁷ Security Council decides UN Mission in Haiti will close by October; approves smaller follow-on operation, *UN News Service*, Apr. 13, 2017.

TPS Considerations: Haiti

Page 11

withdrawal of the MINUSTAH military and police components...has not affected the overall security situation.”¹⁰⁸

FOOD SECURITY

Damage from the 2010 earthquake exacerbated Haiti’s historic food security challenges. The earthquake displaced over 600,000 people from urban to rural areas and caused significant damage to physical infrastructure; these factors contributed to a sharp decline in income and food availability, as well as an increase in the price of food in the aftermath of the earthquake.¹⁰⁹ While the international community provided emergency food assistance and support for the agricultural sector to help avert a post-earthquake food crisis, food insecurity has remained a significant challenge for Haiti.¹¹⁰ Haiti depends on imports to meet more than 50 percent of its food needs,¹¹¹ and is extremely vulnerable to fluctuations in global food prices.¹¹² Chronic malnutrition impacts approximately half of Haiti’s population.¹¹³

In recent years, food and nutritional security in Haiti have gradually deteriorated due to the impact of Tropical Storm Isaac and Hurricane Sandy in 2012 and three consecutive years of severe drought (exacerbated by *El Niño*).¹¹⁴ Hurricane Matthew also exacerbated food insecurity in Haiti.¹¹⁵ The impact of the hurricane caused an estimated \$580 million in damages to the country’s agricultural sector, and extensive damage to “crops, livestock and fisheries as well as to infrastructure such as irrigation – with the most affected areas having up to 100 percent crop damage or destruction.”¹¹⁶ Approximately “428,000 farmers were decapitalized” and food

¹⁰⁸ Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, United Nations Security Council, p.5, July 12, 2017.

¹⁰⁹ Special Report: FAO/WFP Crop and Food Security Assessment Mission to Haiti, Food and Agriculture Organization of the United Nations & The World Food Programme, Sep. 21, 2010, <http://www.fao.org/docrep/012/ak353e/ak353e00.htm>, (last visited Aug. 21, 2017).

¹¹⁰ Haiti: six months on, agriculture needs more support, Food and Agriculture Organization of the United Nations, Jul. 15, 2010, <http://www.fao.org/emergencies/fao-in-action/stories/stories-detail/en/c/147984/>, (last visited Aug. 21, 2017); Haiti – Agriculture and Food Security Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

¹¹¹ Haiti – Agriculture and Food Security Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

¹¹² Food Assistance Fact Sheet – Haiti, U.S. Agency for International Development (USAID), Aug. 7, 2017.

¹¹³ Report of the Ad Hoc Advisory Group on Haiti, United Nations Economic and Social Council, p.3, Jun. 29, 2017.

¹¹⁴ ECHO Factsheet – Haiti – June 2016, European Commission's Directorate-General for European Civil Protection and Humanitarian Aid Operations, Jun. 10, 2016; Food Assistance Fact Sheet – Haiti, U.S. Agency for International Development (USAID), Aug. 7, 2017; ECHO Factsheet – Haiti – May 2017, European Commission's Directorate-General for European Civil Protection and Humanitarian Aid Operations, May 2017, http://ec.europa.eu/echo/files/aid/countries/factsheets/haiti_en.pdf (last visited Aug. 21, 2017).

¹¹⁵ Haiti – Agriculture and Food Security Fact Sheet, U.S. Agency for International Development (USAID), p.1, Mar. 2017.

¹¹⁶ Damages to agricultural sector in storm-hit Haiti estimated at \$580 million – UN agency, UN News Centre, Nov. 23, 2016.

TPS Considerations: Haiti

Page 12

production infrastructure was significantly impacted by the storm.¹¹⁷ In August 2017, USAID reported that, “more than six months later, the storm's impact continues to drive elevated levels of food insecurity in the worst-affected communities.”¹¹⁸ As of May 2017, approximately 5.82 million people were facing food insecurity in Haiti,¹¹⁹ including 2.35 million people who “were severely food-insecure and in need of immediate assistance.”¹²⁰

NATURAL DISASTERS & ENVIRONMENTAL CONCERNS

Due to its geographic location, weak infrastructure, and limited government resources, Haiti is particularly susceptible to natural disasters.¹²¹ Per the World Bank, Haiti has been impacted by natural disasters “almost every year since 1971, losing on average two percent of GDP every year due to hydrometeorological events.”¹²² An estimated 98 percent of the Haitian population is exposed to two or more types of natural disasters.¹²³ As a result of its exposure to natural hazards and the vulnerabilities of its population, Haiti “consistently ranks among the most vulnerable countries in the world to disasters and climate change.”¹²⁴ According to the 2017 Global Climate Risk Index, Haiti ranked as the third most affected country in the world by extreme weather events from 1996 to 2015; during this time, Haiti averaged \$222 million in damages per year—equivalent to 1.49% of GDP on average.¹²⁵

Located along the “hurricane belt,”¹²⁶ Haiti is regularly impacted by tropical storms and floods.¹²⁷ Haiti suffered severe flooding in 2002, 2003, 2006, and 2007.¹²⁸ During the 2008 hurricane season, Haiti was impacted by four storms “which killed more than 800 people and devastated nearly three-quarters of its agricultural land.”¹²⁹ In the fall of 2012, Hurricane Sandy

¹¹⁷ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Jun. 11, 2017.

¹¹⁸ Food Assistance Fact Sheet – Haiti, U.S. Agency for International Development (USAID), Aug. 7, 2017.

¹¹⁹ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.2, Jun. 11, 2017.

¹²⁰ Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, United Nations Security Council, p.5, July 12, 2017.

¹²¹ Five dead, 19 missing after Haiti rains, flooding – officials, Reuters, May 19, 2017.

¹²² World Bank Supports Haiti's Post-Matthew Reconstruction, The World Bank, Jun. 8, 2017.

¹²³ Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017.

¹²⁴ Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4-5, April 2017.

¹²⁵ Kreft, Sönke, Eckstein, David and Melchior, Inga, Global Climate Risk Index 2017, Germanwatch, p. 23, Nov. 2016.

¹²⁶ Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017.

¹²⁷ Jones, Sam, Why is Haiti vulnerable to natural hazards and disasters?, The Guardian, Oct. 4, 2016.

¹²⁸ Jones, Sam, Why is Haiti vulnerable to natural hazards and disasters?, The Guardian, Oct. 4, 2016.

¹²⁹ Jones, Sam, Why is Haiti vulnerable to natural hazards and disasters?, The Guardian, Oct. 4, 2016.

TPS Considerations: Haiti

Page 13

affected 1.8 million Haitians; flooded, damaged, or destroyed 18,000 homes; damaged key infrastructure, including roads, hospitals, and schools; and killed 60 people.¹³⁰

More recently, Haiti has been “grappling with a heavy rainy season” in 2017.¹³¹ The rainy season, which began in April, has resulted in:

floods and landslides, damage to homes and destruction of harvests, especially in the departments of South, Grand’Anse and Nippes, which were the most affected departments by Hurricane Matthew. Erosion of roads have impacted access to several communes, especially in the South department.¹³²

By late May, at least seven people had been killed and 15,000 households were in need of immediate humanitarian assistance.¹³³ The rainy season coincides with hurricane season in Haiti, which typically lasts from June 1 to November 30.¹³⁴ In June 2017, the United Nations Economic and Social Council reported that the Haitian government “has indicated that it does not have the capacity in terms of equipment and personnel to mitigate any disaster that may result” from the current hurricane season.¹³⁵

On September 7, 2017, Hurricane Irma—a Category 5 hurricane—impacted northern Haiti (one of the poorest regions of the country),¹³⁶ with heavy rains, wind, and flooding causing “significant damages in the Nord-Est, Nord-Ouest, Nord, Artibonite and Centre departments.”¹³⁷ The impact of Hurricane Irma led to the evacuation of over 12,500 people, left one person dead and another missing, and injured more than a dozen others.¹³⁸ In addition, 4,903 homes were flooded, 2,646 were damaged, and 466 were destroyed.¹³⁹ Hurricane Irma also caused extensive

¹³⁰ UN relief agency estimates 1.8 million Haitians have been affected by Hurricane Sandy, United Nations Office for the Coordination of Humanitarian Affairs, Nov. 2, 2012.

¹³¹ Five dead, 19 missing after Haiti rains, flooding – officials, Reuters, May 19, 2017.

¹³² Haiti - Humanitarian Situation Report - August 2017, United Nations Children’s Fund (UNICEF), p.2, Aug. 2017.

¹³³ Haiti Humanitarian Bulletin - Issue 65 | June-July 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.1, Aug. 17, 2017; Five dead, 19 missing after Haiti rains, flooding – officials, Reuters, May 19, 2017.

¹³⁴ Haiti - Humanitarian Situation Report - August 2017, United Nations Children’s Fund (UNICEF), p.2, Aug. 2017.

¹³⁵ Report of the Ad Hoc Advisory Group on Haiti, United Nations Economic and Social Council, p.6, Jun. 29, 2017.

¹³⁶ Charles, Jacqueline, Irma mostly spared Haiti. But for struggling farmers, the damages are devastating, The Miami Herald, Sep. 9, 2017.

¹³⁷ ACT Alliance Rapid Response Fund No. 13/2017: Hurricane Irma in Haiti, ACT Alliance, Sep. 26, 2017.

¹³⁸ ACT Alliance Rapid Response Fund No. 13/2017: Hurricane Irma in Haiti, ACT Alliance, Sep. 26, 2017.

¹³⁹ ACT Alliance Rapid Response Fund No. 13/2017: Hurricane Irma in Haiti, ACT Alliance, Sep. 26, 2017.

TPS Considerations: Haiti

Page 14

damage to crops and livestock in affected areas,¹⁴⁰ with an estimated 18,000 families in northern Haiti losing their food crops due to the impact of the storm.¹⁴¹

Located along several major fault lines, Haiti has also been impacted by powerful earthquakes.¹⁴² In 2016, Haiti suffered from its third consecutive year of drought, which was exacerbated by *El Niño*.¹⁴³ Extensive deforestation exposes Haiti to and exacerbates flooding, mudslides, and soil erosion.¹⁴⁴

HURRICANE MATTHEW

The strongest hurricane to strike the country in more than 50 years and the third strongest ever recorded in Haiti, Hurricane Matthew made landfall in southwestern Haiti as a Category 4 hurricane on October 4, 2016.¹⁴⁵ With 145-mile-an-hour winds and torrential rains,¹⁴⁶ Hurricane Matthew “violently struck south-western Haiti...causing widespread damage, flooding and displacement.”¹⁴⁷ Heavy flooding occurred in the most affected departments, including Grand’Anse, South, Nippes and South East departments.¹⁴⁸ Per UNOCHA, the impact of the hurricane occurred at a time when Haiti was “already facing an increase in the number of cholera cases and severe food insecurity and malnutrition.”¹⁴⁹

According to UNOCHA, Hurricane Matthew caused the greatest humanitarian crisis in Haiti since the 2010 earthquake.¹⁵⁰ Hurricane Matthew affected 2.1 million people in Haiti; of this amount, 1.4 million were estimated to be in need of humanitarian assistance in the aftermath of

¹⁴⁰ After the Hurricane – an overview of the damage Irma and Maria left behind, International Federation of Red Cross And Red Crescent Societies, Sep. 22, 2017.

¹⁴¹ Moloney, Anastasia, Floods leave Haitian farmers struggling in Irma's wake: U.N., Thomson Reuters Foundation, Sep. 13, 2017.

¹⁴² Jones, Sam, Why is Haiti vulnerable to natural hazards and disasters?, The Guardian, Oct. 4, 2016; Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017.

¹⁴³ Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017; WFP Haiti - Country Brief, World Food Programme, p.2, May 2017.

¹⁴⁴ Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017; Jones, Sam, Why is Haiti vulnerable to natural hazards and disasters?, The Guardian, Oct. 4, 2016.

¹⁴⁵ Hurricane Matthew: '1.4 million need help in Haiti', Al Jazeera, Oct. 11, 2016; Haiti: Hurricane Matthew Emergency Appeal n° MDRHT012, International Federation of Red Cross and Red Crescent Societies, p.1, Oct. 6, 2016; Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017;

¹⁴⁶ Beaubien, Jason, How Many Houses Did Hurricane Leave Standing In Port Salut, Haiti?, NPR Morning Edition, Oct. 11, 2016; Guyler Delva, Joseph, Hurricane Matthew toll in Haiti rises to 1,000, dead buried in mass graves, Reuters, Oct. 10, 2016.

¹⁴⁷ Haiti: Hurricane Matthew – Situation Report No.6, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.1-4, Oct. 10, 2016.

¹⁴⁸ Haiti: Hurricane Matthew – Situation Report No.6, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.1-4, Oct. 10, 2016.

¹⁴⁹ Haiti: Hurricane Matthew – Situation Report No.6, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Oct. 10, 2016.

¹⁵⁰ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Jun. 11, 2017.

TPS Considerations: Haiti

Page 15

the storm.¹⁵¹ An estimated 175,000 people were displaced,¹⁵² and 546 people were killed.¹⁵³ Hurricane Matthew also caused “widespread damage to homes, roads, public infrastructure, hospitals, and schools.”¹⁵⁴ Damages from Hurricane Matthew were estimated at nearly \$2.8 billion—equivalent to 1/3 of Haiti’s gross domestic product¹⁵⁵—and were particularly severe in Haiti’s housing and food security sectors.¹⁵⁶

In the aftermath of Hurricane Matthew, the international humanitarian community coordinated with the Government of Haiti to provide emergency humanitarian assistance to those affected by the storm.¹⁵⁷ Humanitarian assistance was provided in a variety of fields, including emergency shelter, health, food security, protection, etc.¹⁵⁸ In early March 2017, UNOCHA reported that over 1 million people had been reached with humanitarian assistance in the most affected regions of Grand’Anse, Sud and Nippes departments.¹⁵⁹ UNOCHA also noted that the emergency response was ending at this time, with the focus shifting to early recovery.¹⁶⁰

According to a United Nations official, as of mid-April 2017, shelter and food remained scarce in Haiti’s southern peninsula.¹⁶¹ In March 2017, an international non-governmental organization reported that at least 13 people in Grand’Anse department had died due to hurricane related food shortages in the region, and some Haitians were reportedly living in caves and eating poisonous plants to survive.¹⁶² UNOCHA reported in May 2017 that “affected people continue to live in precarious conditions, particularly in hard-to-reach areas.”¹⁶³

¹⁵¹ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Jun. 11, 2017.

¹⁵² Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017.

¹⁵³ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Jun. 11, 2017.

¹⁵⁴ Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.4, April 2017.

¹⁵⁵ Charles, Jacqueline, Senate Democrats to Trump administration: Let Haitians stay, Miami Herald, Apr. 27, 2017; Charles, Jacqueline, Six months after Hurricane Matthew, food, shelter still scarce in Haiti, Miami Herald, Apr. 12, 2017.

¹⁵⁶ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Jun. 11, 2017.

¹⁵⁷ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Jun. 11, 2017.

¹⁵⁸ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Jun. 11, 2017.

¹⁵⁹ Haiti: Hurricane Matthew Situation Report No.35 (04 March 2017), United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.1, Mar. 4, 2017.

¹⁶⁰ Haiti: Hurricane Matthew Situation Report No.35 (04 March 2017), United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.1, Mar. 4, 2017.

¹⁶¹ Charles, Jacqueline, Six months after Hurricane Matthew, food, shelter still scarce in Haiti, Miami Herald, Apr. 12, 2017.

¹⁶² Charles, Jacqueline, Desperate Haitians living in caves, eating toxic plants in post-hurricane Haiti, Miami Herald, Mar. 24, 2017.

¹⁶³ Haiti Humanitarian Bulletin - Issue 64 | May 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.4, Jun. 11, 2017.

TPS Considerations: Haiti

Page 16

The Haitian government and the international community continued to support Haiti's efforts to recover from Hurricane Matthew during the summer of 2017. On June 30, 2017, President Jovenel Moïse declared a state of emergency in areas hit by the storm.¹⁶⁴ The World Bank announced grants of \$100 million in June 2017 and an additional \$100 million in July 2017 to support Haiti's recovery from the impact of Hurricane Matthew.¹⁶⁵ In addition, the *Miami Herald* reported in July 2017 that the Inter-American Development Bank would reroute \$85 million in funding to support reconstruction efforts in southern Haiti.¹⁶⁶

Nevertheless, in June 2017, the World Bank reported that reconstruction needs from Hurricane Matthew "were assessed at US\$2.2 billion or 25 percent of GDP."¹⁶⁷ In July 2017, the *Miami Herald* reported that residents of the areas most impacted by Hurricane Matthew in southern Haiti felt abandoned by international donors and the Haitian government.¹⁶⁸ The Inter-American Development Bank's representative for Haiti told the *Miami Herald* in July 2017 that, even with the additional funding from its organization for areas impacted by Hurricane Matthew:

"The situation is so dire that even if we fully disbursed the \$85 million that we have committed to the South after the hurricane, there are still a lot of people in need, a lot of villages that were badly affected by the hurricane and need further investment," he said. "We will need lots more resources."¹⁶⁹

In October 2017, Agence France-Presse reported that—one year after Hurricane Matthew—Haiti was still suffering from the consequences of the storm, and had yet to change "the way the country prepares for natural disasters."¹⁷⁰

HAITIAN RETURNEES FROM THE DOMINICAN REPUBLIC

A crackdown on undocumented migrants in the Dominican Republic has contributed to an influx of returnees to Haiti in recent years.¹⁷¹ From July 2015 through July 2017, IOM recorded that

¹⁶⁴ Charles, Jacqueline, After Hurricane Matthew, many victims in Haiti feel abandoned, Miami Herald, Jul. 14, 2017.

¹⁶⁵ Charles, Jacqueline, After Hurricane Matthew, many victims in Haiti feel abandoned, Miami Herald, Jul. 14, 2017; World Bank Approves Additional US\$80 Million for Haiti's Hurricane Recovery, The World Bank, Jun. 14, 2017; Haiti - Post-Matthew : Additional \$80M grants from the World Bank, Haiti Libre, Jun. 15, 2017.

¹⁶⁶ Charles, Jacqueline, After Hurricane Matthew, many victims in Haiti feel abandoned, Miami Herald, Jul. 14, 2017.

¹⁶⁷ World Bank Supports Haiti's Post-Matthew Reconstruction, The World Bank, Jun. 8, 2017.

¹⁶⁸ Charles, Jacqueline, After Hurricane Matthew, many victims in Haiti feel abandoned, Miami Herald, Jul. 14, 2017.

¹⁶⁹ Charles, Jacqueline, After Hurricane Matthew, many victims in Haiti feel abandoned, Miami Herald, Jul. 14, 2017.

¹⁷⁰ A year after Hurricane Matthew, Haiti more vulnerable than ever, Agence France-Presse (AFP), Oct. 4, 2017.

¹⁷¹ Azam, Ahmed, Forced to Flee Dominican Republic for Haiti, Migrants Land in Limbo, The New York Times, Dec. 12, 2015; Partlow, Joshua, A Haitian border town struggles with new rules in the Dominican Republic, The Washington Post, Jun. 24, 2015; McFadden, David, An aid agency is relocating several thousand people who had

TPS Considerations: Haiti

Page 17

215,121 Haitian migrants spontaneously returned or were deported to Haiti.¹⁷² In June 2017, IOM reported that the “total number of returnees has averaged between 6000 and 8000 individuals on a monthly basis” since August 2016.¹⁷³ However, the total number of returnees may actually be higher, as IOM stated that it had only been able to monitor half of border crossings between the two countries since September 2016 due to budget constraints.¹⁷⁴ Deportations from the Dominican Republic have drastically increased since April 2017; July 2017 had the highest number of official deportations since October 2015.¹⁷⁵

In July 2017, the United Nations Secretary-General reported that returnees from the Dominican Republic:

continue to find themselves in a situation of vulnerability owing to the insufficient reception capacity of the Haitian authorities and a lack of reintegration opportunities. This group will likely continue to need assistance in the foreseeable future, including with regard to the determination of their legal status.¹⁷⁶

Similarly, in August 2017, the *Miami Herald* commented on the Haitian government’s “inability to absorb the influx” of returnees from the Dominican Republic, also noting that “their arrival, mostly ignored by Haitian authorities, has burdened humanitarian organizations that have struggled to help amid deep budget cuts and indifference.”¹⁷⁷ Many migrants reportedly “arrive in precarious conditions,”¹⁷⁸ while some returnees reportedly live in “makeshift camps” along the border similar to those inhabited by IDPs from the 2010 earthquake.¹⁷⁹

fled to Haiti from the Dominican Republic and set up informal settlements along the Haitian side of the border, Associated Press, Mar. 30, 2016; Maloney, Anastasia, U.N. urges Dominican Republic to prevent deportations of Haitians, Thomson Reuters Foundation, Jul. 29, 2015.

¹⁷² UN Migration Agency Opens Haiti's First Border Resource Centre to Help Returning Haitians, International Organization for Migration, Jun. 27, 2017; IOM Haiti border monitoring sitrep: Tracking returnees from the Dominican Republic, International Organization for Migration, International Organization for Migration, Aug. 3, 2017.

¹⁷³ IOM Haiti – DTM Report – June 2017, International Organization for Migration, p.24, June 2017.

¹⁷⁴ IOM Haiti border monitoring sitrep: Tracking returnees from the Dominican Republic, International Organization for Migration, International Organization for Migration, Jun. 29, 2017.

¹⁷⁵ IOM Haiti border monitoring sitrep: Tracking returnees from the Dominican Republic, International Organization for Migration, International Organization for Migration, Aug. 3, 2017; Haiti Humanitarian Bulletin - Issue 65 | June-July 2017, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.1-2, Aug. 17, 2017.

¹⁷⁶ Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, United Nations Security Council, p.5, July 12, 2017.

¹⁷⁷ Charles, Jacqueline, The countdown for Haitians with TPS has started. And that has many in Haiti worried., Miami Herald, Aug. 4, 2017.

¹⁷⁸ UN Migration Agency Opens Haiti's First Border Resource Centre to Help Returning Haitians, International Organization for Migration, Jun. 27, 2017.

¹⁷⁹ Following political crisis Haiti must urgently advance human rights agenda, Amnesty International, Mar. 17, 2017.

TPS Considerations: Haiti

Page 18

SUMMARY

Haiti's recovery has been hindered by subsequent natural disasters and various political, social, health, security, and economic conditions which have negatively impacted the country in recent years. Haiti remains vulnerable to external shocks, and its internal fragility has left it unable to adequately respond to a wide range of persistent humanitarian needs. As UNOCHA and the United Nations Country Team in Haiti reported in January 2017:

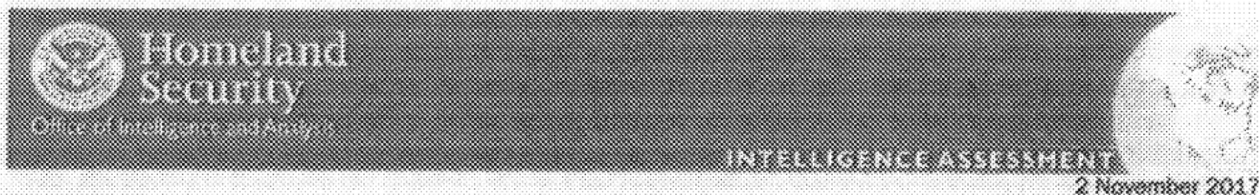
With more than 98% of Haitians exposed to two or more types of disasters, the impact of recurring natural disasters is particularly severe, especially considering the already pre-existing protection, socio-economic and environmental vulnerabilities and disparities. Most Haitians remain vulnerable to natural hazards and disasters, such as floods, landslides, droughts, earthquakes and hurricanes. With more than a half of its total population living in extreme poverty, Hurricane Matthew has once more 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 since mid- 2015 against the backdrop of a decreasing humanitarian presence in the field due to the lack of humanitarian funding.¹⁸⁰

Due to the conditions outlined in this report, Haiti's recovery from the 2010 earthquake could be characterized as falling into what one non-governmental organization recently described as "the country's tragic pattern of 'one step forward, two steps back.'"¹⁸¹

¹⁸⁰ Haiti: Humanitarian Response Plan January 2017 - December 2018, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA)/United Nations Country Team in Haiti, p.6, Jan. 2017.

¹⁸¹ Thomas, Alice, Two Steps Back: Haiti Still Reeling from Hurricane Matthew, Refugees International, p.17, April 2017.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE



(U) Border Security

(U) Implications for TPS Expiring for Beneficiaries from El Salvador, Honduras, Haiti, and Nicaragua

(U//FOUO) Scope. This Intelligence Assessment provides an overview of how the approximately 434,000 Temporary Protected Status (TPS) beneficiaries from El Salvador, Honduras, Haiti, and Nicaragua would respond should these protections expire in the second quarter of FY 2018.^{1,2} The Assessment focuses on the homeland security implications of expiring TPS protections, including the possibility of former beneficiaries returning illegally after deportation and operational considerations involving law enforcement, economic, and other concerns. It is intended for US policy makers, Intelligence Community partners, and state, local, tribal, and territorial law enforcement partners. The information cutoff date for this assessment is 24 October 2017.

(U) Prepared by the Office of Intelligence and Analysis (I&A), [REDACTED]

(U) Key Judgment

(U//FOUO) I&A judges that former TPS beneficiaries from all four countries choosing to illegally return to the United States likely would have the personal and economic motivation and the financial means to pay smugglers to assist them. I&A assesses that TPS beneficiaries from El Salvador and Honduras who are returned to their home countries would have the highest rates of illegal return migration due to established routes for illicit travel and entry at the US Southwest Border. Beneficiaries from Haiti will have more moderate levels of illegal return migration due to well-established maritime deterrence methods. Beneficiaries from Nicaragua may have some illegal return migration due to prevalent economic and social issues there; however, its smaller TPS population would represent a lower impact on DHS interests.

(U) Key Assumptions

(U//FOUO) Our analysis assumes that host nations would begin to receive repatriated citizens within 6 to 12 months of TPS expiration, and that a significant portion of beneficiaries would not pursue status adjustment, such as seeking asylum or student visas, to remain in the United States.

(U//FOUO) We assume that former TPS holders would not migrate in significant numbers to Canada or Mexico prior to being deported from or voluntarily leaving the United States.

IA-21903-18

(U) UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE. The information marked (U//LES) in this document is the property of DHS and may be distributed within the Federal Government (and its subsidiaries, US intelligence, law enforcement, public safety or protection agencies, and subsidiaries) with a need to know. Distribution beyond these entities without DHS authorization is prohibited. Processors should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without full respecting authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or on an unclassified network.

(U) Warning: This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know, without prior approval of an authorized DHS official. State and local homeland security officials that are shown this document with critical infrastructure and key resource personnel or private sector security officials without further approval from DHS.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Risks for Return Migration to the United States

(U//FOUO) I&A judges that former TPS beneficiaries from all four countries choosing to illegally return to the United States likely would have the personal and economic motivation and the financial means to pay smugglers to assist them. I&A assesses that TPS beneficiaries from El Salvador and Honduras who are returned to their home countries would have the highest rates of illegal return migration due established routes for illicit travel and entry at the US Southwest Border. Beneficiaries from Haiti will have more moderate levels of illegal return migration due to well-established maritime deterrence methods. Beneficiaries from Nicaragua may have some illegal return migration due to prevalent economic and social issues there; however, its smaller TPS population would represent a lower impact on DHS interests.

- (U//FOUO) Family and economic ties to the United States likely would motivate repatriated TPS holders to return to the United States, possibly via illegal migration. Many TPS beneficiaries from El Salvador, Honduras, Haiti, and Nicaragua have lived continuously in the United States since the late 1990s, according to [REDACTED].¹⁴ As of July 2017, TPS beneficiaries are parents to hundreds of thousands of United States citizen children, and maintain strong economic ties to the United States through home and business ownership, according to the Center for Migration Studies, a US-based think tank and educational institute that studies international migration.¹⁵
- (U//LES) Honduras and El Salvador migrants take well-established overland routes to attempt to access the US Southwest Border illicitly using trains, buses, taxis, and personal cars. Trips take an average of 10 to 21 days and cost up to \$8,000, according to a body of [REDACTED] reporting from 2014 to 2017.¹⁶⁻¹⁷ Former TPS beneficiaries deported from the United States to Honduras and El Salvador could easily use these routes to return almost immediately to the United States; additionally, they likely have the means to pay any associated smuggling costs because of the income they earned while living and working in the United States, according to [REDACTED] research.¹⁸
- (U//LES) Since consistent USCG patrolling has successfully deterred Haitian migrants from traveling on maritime routes, many are resorting to overland routes to the US Southwest Border via South and Central America, according to a body of [REDACTED] reporting.^{15,16,17,18} [REDACTED] assessed in February 2017 that Haitian maritime migration levels are likely to remain constant through FY 2019, barring any change to US immigration policy, a significant natural disaster, or major degradation of security conditions.¹⁹
- (U//LES) Like other Central Americans, Nicaraguan migrants also take overland routes to reach the US Southwest Border, but the number of Nicaraguan migrants who traveled illegally to the United States compared to those from Northern Triangle²⁰ countries was relatively low, with fewer than 1,500 total encounters per year in both FY 2016 and FY 2017, according to [REDACTED] data.^{21,22,23}

(U) What is Temporary Protected Status (TPS)?

(U) The Secretary of Homeland Security may designate a foreign country for Temporary Protected Status (TPS) due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. USCIS may grant TPS to eligible nationals of certain countries (or parts of countries), who are already in the United States. Eligible individuals without nationality who last resided in the designated country may also be granted TPS.²⁴

¹⁴ (U) Northern Triangle countries include El Salvador, Guatemala, and Honduras.

²¹ (U//FOUO) In FY 2016, the total encounters (apprehensions and inadmissibles) for Nicaraguan nationals were 1,347; in FY 2017, the total encounter number was 1,139, according to [REDACTED] statistics.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) TPS Expiration: Drifts Operational and Tactical Considerations

(U//FOUO) [REDACTED] Analysts noted that all TPS beneficiaries losing protected status could seek to adjust their status to prevent deportation. These adjustments include, but are not limited to, other Legal Permanent Resident (LPR) applications, asylum claims, student visas, and non-immigrant visas. Any TPS beneficiary eligible for removal could be sponsored for LPR status by a US citizen child over the age of 21. Given that the average TPS beneficiary is in their mid-forties, many may have US citizen children old enough to assist them in adjusting to LPR status. USCIS analysts also noted that the number of beneficiaries registered does not necessarily reflect the total number of individuals eligible for removal, as many have already adjusted their legal status and have not updated their records with the agency. Any TPS beneficiaries who illegally immigrate to a third nation (such as Canada) would not automatically lose TPS in the United States; however, without advanced permission to leave the country, they would likely be stopped at the border and not allowed to re-enter the United States.^{24, 25}

(U//LES) [REDACTED] data shows 240,255 removals processed in FY 2016, at a total cost of \$4.23 billion. The average cost for a removal in FY 2016 was \$11,569 per person, with individuals remaining in detention for an average of 35 days. As of 23 September 2017, there were 203 authorized detention facilities in the United States with an average daily population of 38,107.²⁶ Based on current [REDACTED] priorities, loss of TPS benefits alone would not meet the threshold for targeted removal unless individuals are found to be a national security threat, convicted of criminal acts, or previously in removal proceedings before TPS was originally designated.

(U//FOUO) State and Local Perspective: [REDACTED] reported many [REDACTED] offices commenting that, if TPS expired for any of the four countries, the impact on both federal operations and state-level interests would be dependent on whether the expiration dates were concurrent or staggered. The Massachusetts [REDACTED] indicated that while the repeal of TPS extensions would increase cost and workload for United States law enforcement, the [REDACTED] office in the state could handle the increase without major issues. The [REDACTED] offices in North Carolina and Florida indicated that they would not have adequate facilities to house any extra deportees, and they might be burdened by the costs associated with the monitoring of parolees, to include GPS ankle monitors and additional staffing needed to support these services. The [REDACTED] office in North Carolina cited the extra burden that TPS expiring would likely have on the federal immigration court system, suggesting that for those without a criminal record, the average wait time for a hearing date would likely be between 12 and 18 months. The [REDACTED] offices in Florida, Georgia, and New York indicated that TPS expiration would have a generally low or unknown impact on state tax revenue and social services due to uncertainties over the size of areas of responsibility, prioritization of removals, timelines for work authorization removal, and differing local demographics. Some polled states indicated that other economic impacts would most likely be felt at the local level.^{27, 28}

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//FOR OFFICIAL USE ONLY

(U) Alternative Analysis

- » (U//FOUO) I&A considered the possibility that former TPS beneficiaries returning to their home countries would remain there because they perceive US immigration policy as a barrier to returning to the United States. We also could have overestimated the effect that pull factors (the economy, family, and social ties) would have on their decision to return to the United States. If true, our estimates on return migration would be lowered, as would the potential impact to DHS personnel and resources.
 - » (U//FOUO) I&A considered the possibility that former TPS beneficiaries would travel to a third nation such as Canada or Mexico. This scenario, if true, was deemed to have no DHS impact.
 - » (U//FOUO) I&A considered the possibility that a large number of TPS beneficiaries would legally adjust status in the United States.⁴ This alternative assumes beneficiaries' knowledge of their legal options to adjust status and could impact wait times for the USCIS case load and federal immigration court. I&A currently lacks data to forecast this scenario.
 - » (U//FOUO) I&A considered the possibility that TPS beneficiaries could respond to TPS expiration by staying in the United States illegally rather than attempting to adjust status or departing to their home countries. If true, former TPS beneficiaries would contribute to the pool of illegal overstays already residing in the United States, and would burden ICE removal operations depending on prioritization. I&A currently lacks data to forecast this scenario.
-

(U) Tracked by: [REDACTED]

⁴ (U) Examples of ways TPS beneficiaries could adjust their status include asylum claims, marriage to a US citizen, applications for LPR status, and applications for non-immigrant visas.

UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U) Appendix A: TPS Overview El Salvador

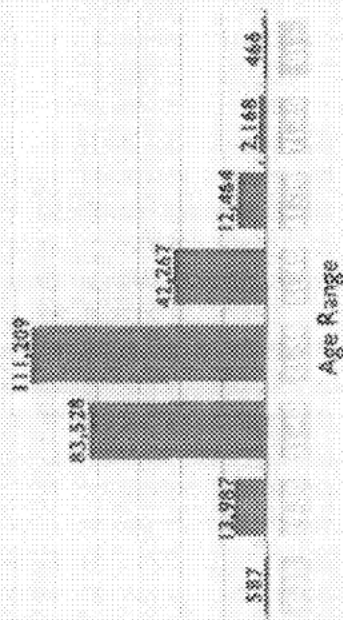
(U//S&U) El Salvador received TPS designation in 2001 after two earthquakes caused serious damage to the country's housing and security. The country, which experienced subsequent environmental disasters preventing beneficiaries from returning, received its most recent TPS extension in July 2016, expiring on 9 March 2018. El Salvador will continue to lobby for a TPS extension, almost certainly on the grounds that multiple factors (limited immigration infrastructure, underdeveloped economy, environmental problems) lower its resorption capacity for potential returnees, 28.36.31.32

(U//LES) U.S. assesses that, if TPS were to expire, well-established family ties in the United States and a host of push factors in El Salvador, such as poor job prospects, gang-related violence, and potentially poor living conditions at home, would lead to high levels of illegal return migration among returnees. Should they decide to return illegally, existing smuggling routes to the US Southwest Border would facilitate their return to the United States, 23.24.33.38

(U) Registered TPS Beneficiaries in the United States presented by age and location as of 2 October 2017, Jr

Salvadoran TPS Beneficiaries by Age

*Data Source: USCIS



Top States and Cities for Salvadoran TPS Return				
Location	Count	Location	Count	Location
California	64,118	Los Angeles, CA	19,104	
Texas	40,497	Houston, TX	18,957	
New York	12,249	New York, NY	4,340	
Virginia	21,496	Dallas, TX	4,014	
Michigan	14,233	Buffalo, NY	4,021	
Other States	9,181	Other Cities	22,295	
Total: 131,309				

(U) LAW ENFORCEMENT SENSITIVE: The information herein is for internal use only and may be disseminated only to those personnel who have a valid "need to know" for law enforcement purposes. This information is not to be used for any other purpose, including but not limited to, immigration enforcement, without the express written approval of the Department of Homeland Security. This information is not to be used for any other purpose, including but not limited to, immigration enforcement, without the express written approval of the Department of Homeland Security. This information is not to be used for any other purpose, including but not limited to, immigration enforcement, without the express written approval of the Department of Homeland Security.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

(U//FOUO) Push Factors Increase Potential Illegal Return Migration to the United States

- » (U) Family ties would certainly lure repatriated TPS beneficiaries back to the United States. TPS holders from El Salvador have some 192,000 US citizen children, while 34 percent have mortgages.⁴³
- » (U//SBU) TPS returnees likely would have difficulties finding employment in El Salvador. The country created only 12,000 out of the 60,000 jobs needed in 2016, according to [REDACTED].⁴⁴ Nearly 85 percent of TPS holders from El Salvador have a median household income of \$50,000 in the United States, according to a July 2017 study by the Center for Migration Studies of New York.⁴⁵ In comparison, the United Nations reports that Salvadorans earn an average of \$4,100 annually.⁴⁶
- » (U//SBU) Gang-related violence is a dominant push factor for emigration from El Salvador, which would likely continue for any TPS beneficiaries returning to the country. El Salvador has the world's highest homicide rate outside of war zones: 81 per 100,000 people were killed in 2017, caused by increasing gang-on-gang violence.⁴⁷
- » (U) TPS returnees probably would face poor living conditions given recurring natural disasters and a government unable to recover from them. El Salvador ranks second in the world for risk exposure to two or more environmental hazards, according to the World Bank—resulting in an estimated 2.5 percent loss in annual GDP and further delay of economic development.⁴⁸ On July 2017, [REDACTED] recommended the extension of TPS, noting El Salvador's slow economic and social recovery from the 2001 earthquakes, as well as their vulnerability to future environmental disasters.⁴⁹

(U) Host Nation Justifications to Extend TPS

- » (U//SBU) Receiving thousands of returned citizens would overwhelm the government's limited migration infrastructure. Despite passing legislation this past summer to improve information sharing concerning returned gang members from the United States, El Salvador's migrant reintegration system remains limited, including a single long-term migration center located in San Salvador that can only facilitate up to 200 individuals per day.⁴⁵⁻⁴⁶ US diplomats in San Salvador in June 2017 reported that the center does not have enough resources to meet the needs of returning TPS deportees.⁴⁷
- » (U//SBU) El Salvador lacks the financial resources to invest in the reintegration of a returning TPS population. [REDACTED] citing a University of Kansas survey, noted that TPS beneficiaries would need to compete with locals to find scarce jobs in order to support themselves and their families legally. El Salvador does not have adequate social services to keep these families out of poverty, according to the same source.^{48,49}
- » (U//SBU) Environmental and health challenges, according to [REDACTED] in El Salvador, render El Salvador unable to handle the return of its citizens from the United States.^{50, 51} Salvadorans face high instances of tropical diseases, respiratory illnesses, and traffic-related mortality rates in the region, according to the World Bank, diverting national expenditures from improving immigration and security programming.⁵²

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

When removed from overall document, this page and the next page are UNCLASSIFIED/SENSITIVE BUT UNCLASSIFIED

(U) Appendix B:
TPS Overview Honduras

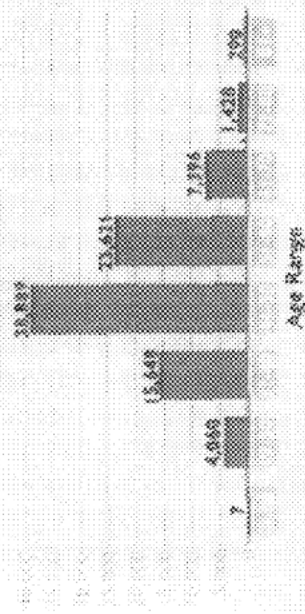
U.S./SBU Honduras received TPS designation in early 1999 in the aftermath of Hurricane Mitch, which killed 5,637 and displaced 1.1 million people. It received its most recent extension in 2016, as additional natural disasters and pandemic illnesses have prevented the country from recovering. With its TPS expiring on 5 January 2019, Honduras will continue lobbying for a TPS extension, likely on the grounds that multiple factors—including a limited migration infrastructure, lack of resources, and national focus on stopping violent crime—will limit its ability to accept returning citizens. 53, 54

(U//FOUO) A. A. assesses that if TPS were to expire, well-established family ties in the United States and a host of push factors in Honduras, such as poor living conditions and fear of gang violence, would very likely lead to high levels of illegal return migration amongst deported beneficiaries. Should these migrants decide to return illegally, existing smuggling routes to the US Southwest Border would facilitate their return to the United States. b6/b7C

(U) Registered TPS Beneficiaries in the United States presented by age and location as of 2 October 2017. 27

Honduran TPS Beneficiaries by Age

Only source: ISC



City/State	Total Population	Per Capita	Homeless Pop.	Per Capita
Atlanta, GA	423,892	100	10,000	2.36
Boston, MA	617,891	100	14,000	2.26
Chicago, IL	2,896,319	100	64,000	2.21
Denver, CO	727,842	100	16,000	2.20
Los Angeles, CA	3,979,876	100	87,000	2.19
Minneapolis, MN	363,767	100	8,000	2.19
New York, NY	18,992,456	100	414,000	2.18
San Francisco, CA	800,935	100	18,000	2.25
Seattle, WA	608,667	100	13,000	2.14
Washington, DC	606,261	100	13,000	2.14
Wichita, KS	389,912	100	9,000	2.31
Winnipeg, MB	725,613	100	16,000	2.20
Yonkers, NY	201,963	100	4,500	2.23

[illegible][illegible]

DECLASSIFIED/CLASSIFIED ENFORCEMENT SENSITIVE

(U//FOUO) Push Factors Increase Potential Illegal Return Migration to the United States

- » (U) Family ties would certainly motivate repatriated TPS beneficiaries to migrate back to the United States. TPS holders from Honduras have nearly \$5,000 US citizen children over 20 percent have mortgages, and over 75 percent have a median household income of \$40,000, according to a July 2017 study by the Center for Migration Studies of New York.⁵⁶ By comparison, the United Nations reports that Hondurans earn an average of \$2,500 per year in their home country.⁵⁷
 - » (U//SBU) Hondurans remain dependent on remittances sent from family members working in the United States--another factor likely to prevent their return to the United States. Remittances comprise nearly 20 percent of the Honduran GDP, according to US Embassy [REDACTED]
 - » (U//SBU) Honduras' inadequate living conditions could prompt emigration. The government has been unable to reconstruct much of the Honduran infrastructure due to the 2009 economic crisis and subsequent tropical storms in 2010 and 2011. As of 2013, nearly 40 percent of households did not have electricity and 15 percent had no access to clean water, which increased food and waterborne illnesses, according to the World Bank.⁵⁸ In June 2017, recommended the extension of TPS because of Honduras' slow economic and social recovery from Hurricane Mitch, as well as their vulnerability to future environmental disasters.⁵⁹
 - » (U//SBU) Honduras' insururates would likely drive migration to the United States for TPS returnees, who are accustomed to the lower crime rates of the United States. While homicide rates in Honduras have decreased since 2011 [REDACTED] and UN reports note that the country ranks as the second most dangerous in the region, with 55 per 100,000 people killed last year, [REDACTED] also report that the country likely would need additional time to formalize initial investments in security reform and infrastructure to combat illegal migration.^{60, 61, 62}
- (U) Most Nation Justifications to Extend TPS
- » (U//SBU) Limited migration infrastructure and social programs reduces Honduras' ability to support returning citizens. Honduras continues to have re-migration challenges, according to the World Bank, due to widespread corruption within public services, inadequate institution resources, and deficient government presence in rural areas, where 45 percent of citizens reside. In the past year, the country has improved its ability to accept some returning citizens, [REDACTED] by opening migratory centers in three urban areas.^{63, 64, 65}
 - » (U//SBU) The Honduran Government lacks the ability to provide resources to agencies charged with integrating repatriated citizens. Honduras has one of weakest economies in Latin America, according to [REDACTED] and World Bank reports, and it is unlikely to improve in the near future because of limited investment opportunities, decreasing labor participation, and ineffective tax collection services.^{66, 67, 68}
 - » (U//SBU) The Government of Honduras views repatriation of returned citizens as a lower priority and focuses most of its resources on reducing gang violence and other domestic challenges. As part of a regional effort to stabilize migration, Honduras prioritized reducing corruption, battling gangs, and strengthening security services. Such initiatives would likely require long-term funding and political will, and, according to [REDACTED] recommending \$1,000 TPS estimate would prevent success.^{69, 70}

DECLASSIFIED/CLASSIFIED ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

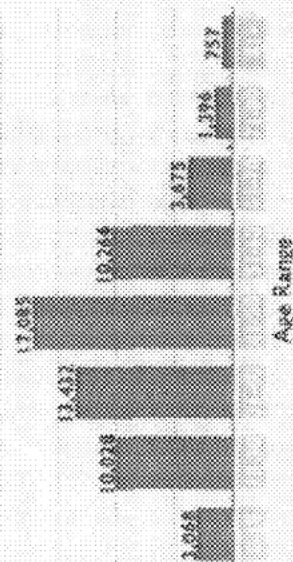
(U) Appendix C: TPS Overview Haiti

(U) Haiti received TPS designation in January 2010 after a 7.0 magnitude earthquake killed 300,000 and displaced 1.5 million Haitians. TPS status was most recently extended for an estimated 60,000 migrants in July 2017 after the devastation of Hurricane Matthew in 2016, which killed 475 and displaced 175,000 Haitians. Haiti's TPS expires on 22 January 2018, and the Government of Haiti will request another 18-month TPS extension before the deadline.^{10, 11} Limited migration processing organizations, law enforcement challenges, and few resources are likely reasons the Government of Haiti requires more time for recovery and preparation.

(U//SBU) I&A assesses that the expiration of TPS would very likely prompt illegal return migration among reported beneficiaries, despite typical maritime and land migration challenges, due to decades-long economic and family ties to the United States and a host of push factors in Haiti, including low employment opportunities, and rising violent crime.¹²⁻¹⁴

(U) Registered TPS Beneficiaries in the United States presented by age and location as of 2 Oct 2017.¹⁵

Haitian TPS Beneficiaries by Age
*Data Source: USCIS



State	TPS Status	Other Information
Alabama	14,204	Miami, FL
Arizona	9,461	Phoenix, AZ
California	4,834	San Diego, CA
Florida	3,153	Fort Lauderdale, FL
Georgia	134	West Palm Beach, FL
Illinois	1,227	Chicago, IL
Total	17,513	

10. Meeting the minimum standards for TPS requires that the Government of Haiti demonstrate that the situation of violence or other extraordinary circumstances in Haiti is of such a nature that it is necessary to provide temporary protection to persons who are unable to return to their country of origin. The information provided in this document is for informational purposes only and does not constitute a recommendation or endorsement of any particular course of action. The information is provided for informational purposes only and does not constitute a recommendation or endorsement of any particular course of action.

11. Law Enforcement Reporting: The information reported in this document is for informational purposes only and does not constitute a recommendation or endorsement of any particular course of action. The information is provided for informational purposes only and does not constitute a recommendation or endorsement of any particular course of action.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED LAW ENFORCEMENT SENSITIVE

(U//FOUO) Push Factors Increase Potential Illegal Return Migration to the United States

- » (U//SBU) Beneficiaries returning to Haiti would likely feel compelled to return to the United States to support family who rely on remittances. US Embassy Port-au-Prince reporting shows annual remittances from Haitians living abroad to family members in Haiti match or outpace the Government of Haiti's national budget, accounting for an estimated \$2 to \$2.5 billion annually. Haiti's 2017-2018 budget calls for an increase in taxes on Haitian citizens, according to [REDACTED].⁵⁵
- » (U//SBU) Natural disasters continue to weaken the country's infrastructure. More than 98 percent of Haitians are vulnerable to two or more types of natural disasters, including hurricanes, floods, landslides, and drought, according to [REDACTED]. Additionally, Haiti's education system is poorly managed, with only 29 percent of school-aged children enrolled in school because of tuition costs and a lack of government resources, according to diplomatic reporting.^{56,58}
- » (U) Family ties and economic opportunities likely will draw repatriated TPS holders, possibly using illicit means, to the United States. TPS holders from Haiti have some 27,000 United States citizen children, while a quarter of all TPS holders have a mortgage and a median household income of \$45,000, according to a July 2017 study by the Center for Migration Studies of New York.⁵⁷
- » (U//SBU) [REDACTED], in August 2017, recommended the extension of TPS for Haiti due to its slow economic and social recovery after the 2010 earthquake and Hurricane Matthew, as well as its vulnerability to future environmental disasters.⁵⁸
- » (U//LES) Haitian returnees will likely choose the United States over other destinations. USCG deterrence has prevented most maritime migration, and historic migrant destinations such as Brazil and the Dominican Republic are no longer viable options due to economic or social strife, according to diplomatic reporting.^{59,60}

(U) Host Nation Justifications to Extend TPS

- » (U//SBU) Haiti has no long-term repatriation process established, causing inconsistent and unreliable support for future deportees and DHS deportation operations. US diplomats in Port-au-Prince have assessed that Haiti's ability to reabsorb US TPS holders is unsustainable and that, if Haiti is unable to receive compatriots, DHS deportation flights will not be able to continue.^{61,62,63}
- » (U//SBU) Exacerbating Haiti's ability to reintegrate returnees is the ongoing deportation of Haitians from the Dominican Republic. About 200,000 Haitians have uncertain statuses in the Dominican Republic, and currently 5,500 to 6,000 Haitians are being deported monthly from the Dominican Republic.⁶⁴
- » (U//SBU) Government and NGO repatriation assistance does not extend to more rural areas of the country, which likely will cause TPS deportees to pool into already overpopulated city centers struggling to deal with rising violent crime rates, according to diplomatic reporting. Traditionally safer and more affluent neighborhoods in Port-au-Prince, as of June 2017, are experiencing a spike in violence, according to diplomatic reporting. This trend is attributed to corrupt judges, lack of appropriate law enforcement leadership response, and the October 2017 withdrawal of UN Stabilization Mission in Haiti (MINUSTAH) forces.^{65,66}
- » (U//SBU) The Government of Haiti does not view reintegration as a priority and most resources will be allocated to other issues. Diplomatic and Haitian media have regularly reported widespread nepotism and political corruption, and most governmental departments are running multi-million dollar deficits. In addition, Haiti's most recently passed \$2.2 billion budget sparked violent protests in September over local perceptions of corrupt and counterproductive governmental allocations, according to a body of Haitian media.^{67, 106}

UNCLASSIFIED LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED LAW ENFORCEMENT SENSITIVE

When removed from overall document, this page and the next page are UNCLASSIFIED//SENSITIVE BUT UNCLASSIFIED

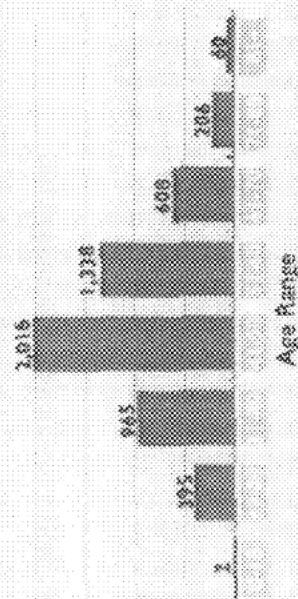
(U) Appendix D: TPS Overview Nicaragua

(U//SIU) Nicaragua received TPS designation in January 1999 after Hurricane Mitch and flooding caused severe damage and disruption to living conditions. TPS designation has been continually extended because of subsequent natural disasters, including extensive flooding, two earthquakes, 426 eruptions of the Telica volcano between May and July 2015, a prolonged regional drought, and a coffee rust epidemic. TPS status is set to expire 5 January 2018.¹⁰⁷

(U//FOUO) I&A assesses that the Government of Nicaragua would not request a new TPS extension because the government appears uninterested in engaging with the United States and is probably capable of reintegrating the considerably small population of TPS holders back into the country. However, if TPS were to expire, I&A assesses that decades-long economic and family ties to the United States, as well as a host of push factors in Nicaragua—including low employment opportunities and a corrupt government system—would lead to high illegal return migration among deported beneficiaries.

(U//FOUO) Registered TPS Beneficiaries in the United States presented by age and location as of 2 Oct 2017.¹⁰⁸

Nicaraguan TPS Beneficiaries by Age
*Data Source: USCIS



Location	San Francisco	Other	Total
Florida	2,816	1,684	4,500
California	1,338	279	1,617
Texas	408	19	427
New York	160	156	316
New Jersey	156	48	204
Other States	1,384	1,318	2,702

(U//SIU) The document contains UNCLASSIFIED//SIU information. This may be subject to public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, nor shared with other personnel who do not have a valid need to know without prior approval of an authorized DHS official. This and other personnel may not share this document with other personnel or other personnel may not share this document with other personnel.

UNCLASSIFIED LAW ENFORCEMENT SENSITIVE

DECLASSIFIED LAW ENFORCEMENT INVESTIGATIVE

(U//FOUO) Push Factors Increase Potential Illegal Return Migration to the United States

- » (U//SBU) Deported TPS holders are unlikely to find work in Nicaragua comparable to US employment, prompting them to return to the United States. In Nicaragua, over 75 percent of Nicaraguans work exclusively in informal jobs without official contracts or benefits and are highly vulnerable to employer exploitation, according to [REDACTED] 588
- » (U) Nicaraguans returnees face fewer security challenges than neighboring countries with high violence levels. Nicaragua's top military official stated in September 2017 that Nicaragua has lower levels of crime and drug seizures than neighboring countries, and experts in Nicaragua assert that the transnational gang La Mara Salvatrucha (MS-13) does not have a significant presence there, according to a pro-US Latin American media report.126,111
- » (U//SBU) Returning TPS holders would find a more authoritarian country in Nicaragua, which could push newly arriving TPS holders to leave. The Nicaraguan presidential administration continues to consolidate power, according to [REDACTED] In 2016, President Ortega and his wife, the Vice President, openly manipulated the political system to guarantee reelection. Additionally, in 2016, the government increased harassment and intimidation of NGO, political opposition, and civil society organizations, according to the same report.112

(U) Host Nation Justifications to Extend TPS

- » (U//SBU) The current Nicaraguan administration does not appear to be interested in lobbying for TPS despite significant economic and security challenges. Latin American media reported in July 2017 that Roger Castro, the Permanent Commissioner for Human Rights who lobbied for TPS extension for Central Americans, said that President Ortega's administration "has not shown interest in the conditions settled in the United States."113 [REDACTED] In August 2017, in August 2017, that Nicaragua's extreme weather and drought no longer met the threshold for special protected status.115

DECLASSIFIED LAW ENFORCEMENT INVESTIGATIVE

UNCLASSIFIED - LAW ENFORCEMENT SENSITIVE

(D) Source Summary Statement

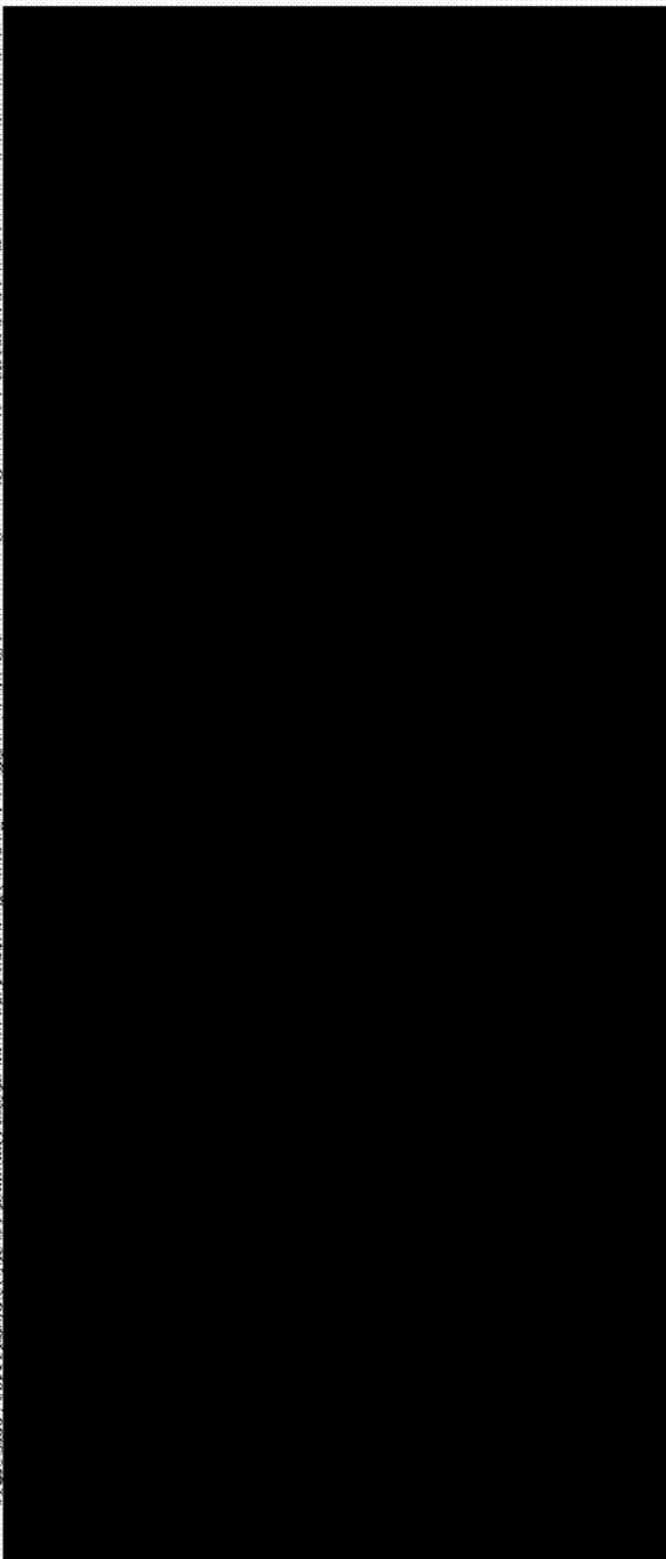
(U//LES) This Assessment relies heavily upon [REDACTED] (LES), and foreign media reporting to assess current and past economic, social, and environmental challenges, and to assess future impacts of TPS expiring for beneficiaries from four Western Hemisphere countries. LES has provided confidence in our assessment of the potential return migration of TPS beneficiaries, as migration trends are susceptible to public perceptions, misinformation, and individual family decisions. This Assessment could have benefited from more reporting to corroborate [REDACTED] and open source reporting on the countries' individual family TPS extension and their capabilities for reintegrating returning migrants. LES also corroborates that the [REDACTED] and media sources used could have been informed by past media profiles. LES received policy and operational insight and some statistics from [REDACTED] which we considered reliable because of the agencies' firsthand access and experience with TPS and the deportation process. Additionally, we received tactical information from [REDACTED] which we considered reliable due to its research to state and local contacts, which we incorporated in the country-specific cases (the sections and in the operational box, which we consider reliable but still received a good survey of operational considerations from the states with sizable TPS populations: Florida, Georgia, Massachusetts, New York, and North Carolina.

[REDACTED]

[U] Journal | Robert Warren and Donald Kerner - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Beneficiaries from El Salvador, Honduras, and Haiti | Jan 2017 | 674-697 | 121 Sep 2017 | 1

UNCLASSIFIED - LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE



Online Publication | [FBI 1015-2016](#) | United States Department Publishing Office | Federal Register Extension of the Designation of El Salvador for Temporary Protected Status | 9 Jul 2016 | 44045-44051 | [www.fbi.gov/press/pr/160709/160709.pdf](#) | 14 September 2017 |
Online Publication | [FBI 1015-2016](#) | United States Department Publishing Office | Federal Register Extension of the Designation of El Salvador for Temporary Protected Status | 9 Jul 2016 | 44045-44051 | [www.fbi.gov/press/pr/160709/160709.pdf](#) | 14 September 2017 |
Online Publication | The World Bank Group | Systemic Country Diagnostic | El Salvador: Building on Strengths for a Better Generation | May 2016 | x |
[www.worldbank.org/2016/05/2017/1](#)



UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED - LAW ENFORCEMENT SENSITIVE

[REDACTED]

²⁷ [(U) (Journal) | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 09/21/2017 |]

²⁸ [(U) (Journal) | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 09/21/2017 |]

[REDACTED]

²⁹ [(U) (Journal) | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 09/21/2017 |]

³⁰ [Online Publication | United Nations | El Salvador Profile | 2017 | | n/a | data.un.org/countryprofile.aspx?cname=Elk20Salvador | 17 October 2017 |]

[REDACTED]

³¹ [Online Publication | The World Bank Group | Systematic Country Diagnostic | El Salvador: Building on Strengths for a New Generation | May 2015 | | x | www.worldbank.org | 20 Sep 2017 |]

[REDACTED]

³² [Internet Site | International Organization for Migration | Press Release | IOM Launches Reconstruction of Migration Center | 3 July 2015 | N/A | www.iom.int/news/iom-launches-reconstruction-migrant-reception-center-el-salvador | 26 September 2017 | IOM is the United Nation's Migration Center]

[REDACTED]

³³ [Online Publication | The World Bank Group | Systematic Country Diagnostic | El Salvador: Building on Strengths for a New Generation | May 2015 | | x, n | www.worldbank.org | 20 September 2017 |]

³⁴ [Online Publication | USCIS | United States Government Publishing Office | Extension of the Designation of Honduras for Temporary Protected Status | 16 May 2016 | 30331-30337 | www.gpo.gov/fdsys/pkg/FR2016-05-16/pdf/2016-11306.pdf | 13 Sep 2017 |]

[REDACTED]

UNCLASSIFIED - LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

⁶⁷ [U] [Journal] Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 21 Sep 2017 | |

⁶⁸ [U] [Journal] Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 21 Sep 2017 | |

⁶⁹ [Online Publication] United Nations | Honduras Profile | 2017 | | n/a | data.un.org/countryprofile.aspx?cname=Honduras | 17 Oct 2017 | |

⁷⁰ [Online Publication] World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 Sep 2017 | |

⁷¹ [Online Publication] World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 Sep 2017 | |

⁷² [Internet Site] United Nations Office of Drugs and Crime (UNODC) | World Bank Data Open Data | (A)ODC Intentional Homicide Statistics Database | Periodically | N/A | data.worldbank.org/indicator/VC.BH.PS.HG.PS?end=2015&locations=US-GV-HN&start=1985&view=chart | 26 Sep 2017 | The World Bank displays open license data from international data bases, including the United Nations Office of Drugs and Crime (UNODC) Intentional Homicide Statistics.]

⁷³ [Online Publication] World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 Sep 2017 | |

⁷⁴ [Online Publication] World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 Sep 2017 | |

⁷⁵ [Online Publication] World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 September 2017 | |

⁷⁶ [U] [Internet Site] CIA | The World Factbook | 13 June 2017 | 08 Sep 2017 | | <https://www.cia.gov/library/publications/the-world-factbook/docs/na.html> | 21 Sep 2017 | |

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

82. ICA [Immigrant and Refugee Welfare and Center for Migration Studies]. *Journal of Migration and Human Security: A Statistical and Demographic Profile of the US Temporary Protected Populations from El Salvador, Honduras, and Haiti*. July 2017. 578-592. | 21-Sep-2017 | }

87. (U) [Journal] Robert Warner and Donald Kowitz - *Canals for Migration Studies: Journal on Migration and Human Security* | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti, 1 Aug 2017 | 578-592 | 1 21 549 2017 | 1

on 15/05/2017 05:28:24 | (HOUSE ID: 10024656436439471-6-64646364641907123 May 2017 | (A Member Government Release Territory Protection Status Requested in Washington | (OFFICIALSIFIED) (OFFICIALSIFIED) |

[illegible][illegible]

22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
85

[illegible][illegible][illegible][illegible]

Author's address: Department of Mathematics, University of California, San Diego, La Jolla, CA 92037, USA.
E-mail: shashank@ucsd.edu

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

[illegible]

CONFERENCE OF BISHOPS OF THE ROMAN CATHOLIC CHURCH IN AFRICA
 1975-1976
 1977-1978
 1979-1980
 1981-1982
 1983-1984
 1985-1986
 1987-1988
 1989-1990
 1991-1992
 1993-1994
 1995-1996
 1997-1998
 1999-2000
 2001-2002
 2003-2004
 2005-2006
 2007-2008
 2009-2010
 2011-2012
 2013-2014
 2015-2016
 2017-2018
 2019-2020
 2021-2022
 2023-2024
 2025-2026
 2027-2028
 2029-2030
 2031-2032
 2033-2034
 2035-2036
 2037-2038
 2039-2040
 2041-2042
 2043-2044
 2045-2046
 2047-2048
 2049-2050
 2051-2052
 2053-2054
 2055-2056
 2057-2058
 2059-2060
 2061-2062
 2063-2064
 2065-2066
 2067-2068
 2069-2070
 2071-2072
 2073-2074
 2075-2076
 2077-2078
 2079-2080
 2081-2082
 2083-2084
 2085-2086
 2087-2088
 2089-2090
 2091-2092
 2093-2094
 2095-2096
 2097-2098
 2099-2100
 2101-2102
 2103-2104
 2105-2106
 2107-2108
 2109-2110
 2111-2112
 2113-2114
 2115-2116
 2117-2118
 2119-2120
 2121-2122
 2123-2124
 2125-2126
 2127-2128
 2129-2130
 2131-2132
 2133-2134
 2135-2136
 2137-2138
 2139-2140
 2141-2142
 2143-2144
 2145-2146
 2147-2148
 2149-2150
 2151-2152
 2153-2154
 2155-2156
 2157-2158
 2159-2160
 2161-2162
 2163-2164
 2165-2166
 2167-2168
 2169-2170
 2171-2172
 2173-2174
 2175-2176
 2177-2178
 2179-2180
 2181-2182
 2183-2184
 2185-2186
 2187-2188
 2189-2190
 2191-2192
 2193-2194
 2195-2196
 2197-2198
 2199-2200
 2201-2202
 2203-2204
 2205-2206
 2207-2208
 2209-2210
 2211-2212
 2213-2214
 2215-2216
 2217-2218
 2219-2220
 2221-2222
 2223-2224
 2225-2226
 2227-2228
 2229-2230
 2231-2232
 2233-2234
 2235-2236
 2237-2238
 2239-2240
 2241-2242
 2243-2244
 2245-2246
 2247-2248
 2249-2250
 2251-2252
 2253-2254
 2255-2256
 2257-2258
 2259-2260
 2261-2262
 2263-2264
 2265-2266
 2267-2268
 2269-2270
 2271-2272
 2273-2274
 2275-2276
 2277-2278
 2279-2280
 2281-2282
 2283-2284
 2285-2286
 2287-2288
 2289-2290
 2291-2292
 2293-2294
 2295-2296
 2297-2298
 2299-2300
 2301-2302
 2303-2304
 2305-2306
 2307-2308
 2309-2310
 2311-2312
 2313-2314
 2315-2316
 2317-2318
 2319-2320
 2321-2322
 2323-2324
 2325-2326
 2327-2328
 2329-2330
 2331-2332
 2333-2334
 2335-2336
 2337-2338
 2339-2340
 2341-2342
 2343-2344
 2345-2346
 2347-2348
 2349-2350
 2351-2352
 2353-2354
 2355-2356
 2357-2358
 2359-2360
 2361-2362
 2363-2364
 2365-2366
 2367-2368
 2369-2370
 2371-2372
 2373-2374
 2375-2376
 2377-2378
 2379-2380
 2381-2382
 2383-2384
 2385-2386
 2387-2388
 2389-2390
 2391-2392
 2393-2394
 2395-2396
 2397-2398
 2399-2400
 2401-2402
 2403-2404
 2405-2406
 2407-2408
 2409-2410
 2411-2412
 2413-2414
 2415-2416
 2417-2418
 2419-2420
 2421-2422
 2423-2424
 2425-2426
 2427-2428
 2429-2430
 2431-2432
 2433-2434
 2435-2436
 2437-2438
 2439-2440
 2441-2442
 2443-2444
 2445-2446
 2447-2448
 2449-2450
 2451-2452
 2453-2454
 2455-2456
 2457-2458
 2459-2460
 2461-2462
 2463-2464
 2465-2466
 2467-2468
 2469-2470
 2471-2472
 2473-2474
 2475-2476
 2477-2478
 2479-2480
 2481-2482
 2483-2484
 2485-2486
 2487-2488
 2489-2490
 2491-2492
 2493-2494
 2495-2496
 2497-2498
 2499-2500
 2501-2502
 2503-2504
 2505-2506
 2507-2508
 2509-2510
 2511-2512
 2513-2514
 2515-2516
 2517-2518
 2519-2520
 2521-2522
 2523-2524
 2525-2526
 2527-2528
 2529-2530
 2531-2532
 2533-2534
 2535-2536
 2537-2538
 2539-2540
 2541-2542
 2543-2544
 2545-2546
 2547-2548
 2549-2550
 2551-2552
 2553-2554
 2555-255

bioRxiv preprint doi: <https://doi.org/10.1101/2017.07.27.180000>; this version posted July 27, 2017. The copyright holder for this preprint (which was not certified by peer review) is the author/funder, who has granted bioRxiv a license to display the preprint in perpetuity. It is made available under aCC-BY-NC-ND 4.0 International license.

[illegible]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLYHomeland
Security

Office of Intelligence and Analysis

INTELLIGENCE ASSESSMENT

2 November 2017

(U) Border Security

(U) Implications for TPS Expiring for Beneficiaries from El Salvador, Honduras, Haiti, and Nicaragua

(U//FOUO) **Scope.** This Intelligence Assessment provides an overview of how the approximately 434,000 Temporary Protected Status (TPS) beneficiaries from El Salvador, Honduras, Haiti, and Nicaragua would respond these protections were to expire in the second quarter of FY 2018.^{1,2} The Assessment focuses on the homeland security implications of expiring TPS protections, including the possibility of former beneficiaries returning illegally after deportation and other operational considerations involving law enforcement, economic, and other concerns. It is intended for US policy makers, Intelligence Community partners, and state, local, tribal, and territorial law enforcement partners. The information cutoff date for this assessment is 24 October 2017.

(U) Prepared by the Office of Intelligence and Analysis (I&A), with [REDACTED]

(U) Key Judgment

(U//FOUO) I&A judges that former TPS beneficiaries from all four countries choosing to illegally return to the United States likely would have the personal and economic motivation and the financial means to pay smugglers to assist them. I&A assesses that TPS beneficiaries from El Salvador and Honduras who are returned to their home countries would have the highest rates of illegal return migration due to these countries' established routes for illicit travel and entry at the US Southwest Border. Beneficiaries from Haiti will have more moderate levels of illegal return migration due to well-established maritime deterrence methods. Beneficiaries from Nicaragua may have some illegal return migration due to prevalent economic and social issues there; however, its smaller TPS population would represent a lower impact on DHS interests.

(U) Key Assumptions

(U//FOUO) Our analysis assumes that host nations would begin to receive repatriated citizens within 6 to 12 months of TPS expiration, and that a significant portion of beneficiaries would not pursue status adjustment, such as seeking asylum or student visas, to remain in the United States.

IA-XXXX-18

(U) **LAW ENFORCEMENT SENSITIVE:** The information covered (U//LES) in this document is the property of DHS and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials, and individuals with a need to know. Distribution beyond these entities without DHS authorization is prohibited. Prosecutors should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings, without first obtaining authorization from the originating agency. Recipients are prohibited from subsequently posting the information on a website or on an unclassified network.

(U) **Warning:** This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). If it is to be controlled, stored, handled, transmitted, distributed, and otherwise used in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may not share this document with critical infrastructure and key resource personnel or private sector security officials without further approval from DHS.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

(U//FOUO) We assume that former TPS holders would not migrate in significant numbers to Canada or Mexico prior to being deported from or voluntarily leaving the United States.

- » (U//FOUO) Family and economic ties to the United States likely would motivate repatriated TPS holders to return to the United States, possibly via illegal migration. Many TPS beneficiaries from El Salvador, Honduras, Haiti, and Nicaragua have lived continuously in the United States since the late 1990s, according to [REDACTED].³⁴ TPS beneficiaries made up 80 percent of the labor force, are parents to hundreds of thousands of United States citizen children, and maintain strong economic ties to the United States through home and business ownership, according to the Center for Migration Studies, a US-based think tank and educational institute that studies international migration.⁵
- » (U//LES) Honduras and El Salvador migrants take well-established overland routes to attempt to access the US Southwest Border illicitly using trains, buses, taxis, and personal cars. Trips take an average of 10 to 21 days and cost up to \$8,000, according to a body of [REDACTED] reporting from 2014 to 2017.¹⁶⁻¹⁸ Former TPS beneficiaries deported from the United States to Honduras and El Salvador could easily use these routes to return almost immediately to the United States; additionally, they likely have the means to pay any associated smuggling costs because of the income they earned while living and working in the United States, according to [REDACTED] research.³⁴
- » (U//LES) Since consistent USCG patrolling has successfully deterred migrants from traveling on maritime routes, many are resorting to overland routes to the US Southwest Border via South and Central America, according to a body of [REDACTED] reporting.^{16,18,17,28} [REDACTED] assessed in February 2017 that Haitian maritime migration levels are likely to remain constant through FY 2019, barring any change to US immigration policy, a significant natural disaster, or major degradation of security conditions.²⁵
- » (U//LES) Like other Central Americans, Nicaraguan migrants also take overland routes to reach the US Southwest Border, but the number of Nicaraguan migrants who traveled illegally to the United States compared to those from Northern Triangle countries was relatively low, with less than 1,500 total encounters per year in both FY 2016 and FY 2017, according to [REDACTED] data.^{20,21,22,28}

(U) What is Temporary Protected Status (TPS)?

(U) The Secretary of Homeland Security may designate a foreign country for Temporary Protected Status (TPS) due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. USCIS may grant TPS to eligible nationals of certain countries (or parts of countries), who are already in the United States. Eligible individuals without nationality who last resided in the designated country may also be granted TPS.²³

⁵ (U//FOUO) In FY 2016, the total encounters (apprehensions and inadmissibles) for Nicaraguan nationals were 1,347; in FY 2017, the total encounter number was 1,139, according to [REDACTED] statistics.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

(U) TPS Expiration: DHS's Operational and Tactical Considerations

(U//FOUO) [REDACTED] Analysts noted that all TPS beneficiaries using protected status could seek to adjust their status to prevent deportation. These adjustments include, but are not limited to, other LPR applications, asylum claims, student visas, and non-immigrant visas. Any TPS beneficiary eligible for removal could be sponsored for LPR status by a US citizen child over the age of 21. Given that the average TPS beneficiary is in their mid-forties, many may have US citizen children old enough to assist them in adjusting to LPR status. USCIS analysts also noted that the number of beneficiaries registered does not necessarily reflect the total number of individuals eligible for removal, as many have already adjusted their legal status and have not updated their records with the agency. Any TPS beneficiaries who illegally immigrate to a third nation (such as Canada) would not automatically lose TPS in the United States; however, without advanced permission to leave the country, they would likely be stopped at the border and not allowed to re-enter the United States.^{24,25}

(U//LES) [REDACTED] data shows 240,255 removals processed in FY 2016, at a total cost of \$4.23 billion. The average cost for a removal in FY 2016 was \$11,869 per person, with individuals remaining in detention for an average of 34.9 days. As of 25 September 2017, there were 203 authorized detention facilities in the United States with an average daily population of 38,107.²⁶ Based on current [REDACTED] priorities, loss of TPS benefits alone would not meet the threshold for targeted removal unless individuals are found to be a national security threat, convicted of criminal acts, or previously in removal proceedings before TPS was originally designated.

(U//FOUO) State and Local Perspective: [REDACTED] reported many [REDACTED] offices commenting that, if TPS expired for any of the four countries, the impact on both federal operations and state-level interests would be dependent on whether the expiration dates were concurrent or staggered. The Massachusetts [REDACTED] indicated that while the repeal of TPS extensions would increase cost and workload for United States law enforcement, the [REDACTED] office in the state could handle the increase without major issues. The [REDACTED] offices in North Carolina and Florida indicated that they would not have adequate facilities to house any extra deportees, and they might be burdened by the costs associated with the monitoring of parolees, to include GPS ankle monitors and additional staffing needed to support these services. The [REDACTED] office in North Carolina cited the extra burden that TPS expiring would likely have on the federal immigration court system, suggesting that for those without a criminal record, the average wait time for a hearing date would likely be between 12 and 18 months. The [REDACTED] offices in Florida, Georgia, and New York indicated that TPS expiration would have a generally low or unknown impact on state tax revenue and social services due to uncertainties over the size of areas of responsibility, prioritization of removals, timelines for work authorization removal, and differing local demographics. Some polled states indicated that other economic impacts would most likely be felt at the local level.^{27,28}

(U) Alternative Analysis

- » (U//FOUO) I&A considered the possibility that former TPS beneficiaries returning to their home countries would remain there because they perceive US immigration policy as a barrier to returning to the United States. We also could have overestimated the effect that pull factors (the economy, familial and social ties) would have on their decision to return to the United States. If true, our estimates on return migration would be lowered, as would the potential impact to DHS personnel and resources.
- » (U//FOUO) I&A considered the possibility that former TPS beneficiaries would travel to a third nation such as Canada or Mexico. This scenario, if true, was deemed to have no DHS equities.
- » (U//FOUO) I&A considered the possibility that a large number of TPS beneficiaries would legally adjust status in the United States.²⁹ This alternative assumes beneficiaries' knowledge of their legal options to adjust status and could impact wait times for the USCIS case load and federal immigration court. I&A currently lacks data to forecast this scenario.
- » (U//FOUO) I&A considered the possibility that TPS beneficiaries could respond to TPS expiration by staying in the United States illegally rather than attempting to adjust status or departing to their home countries. If true, former TPS beneficiaries would contribute to the pool of illegal overstayers already residing in the United States, and would burden ICE removal operations depending on prioritization. I&A currently lacks data to forecast this scenario.

(U) Tracked by: [REDACTED]

²⁹ (U) Examples of ways TPS beneficiaries could adjust their status include asylum claims, marriage to a US citizen, applications for LPR status, and applications for non-immigrant visas.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLYHomeland
Security

Office of Intelligence and Analysis

INTELLIGENCE ASSESSMENT

2 November 2017

(U) Border Security

(U) Implications for TPS Expiring for Beneficiaries from El Salvador, Honduras, Haiti, and Nicaragua

(U//FOUO) **Scope.** This Intelligence Assessment provides an overview of how the approximately 434,000 Temporary Protected Status (TPS) beneficiaries from El Salvador, Honduras, Haiti, and Nicaragua would respond these protections were to expire in the second quarter of FY 2018.^{1,2} The Assessment focuses on the homeland security implications of expiring TPS protections, including the possibility of former beneficiaries returning illegally after deportation and other operational considerations involving law enforcement, economic, and other concerns. It is intended for US policy makers, Intelligence Community partners, and state, local, tribal, and territorial law enforcement partners. The information cutoff date for this assessment is 24 October 2017.

(U) Prepared by the Office of Intelligence and Analysis (I&A).

(U) Key Judgment

(U//FOUO) I&A judges that former TPS beneficiaries from all four countries choosing to illegally return to the United States likely would have the personal and economic motivation and the financial means to pay smugglers to assist them. I&A assesses that TPS beneficiaries from El Salvador and Honduras who are returned to their home countries would have the highest rates of illegal return migration due to these countries' established routes for illicit travel and entry at the US Southwest Border. Beneficiaries from Haiti will have more moderate levels of illegal return migration due to well-established maritime deterrence methods. Beneficiaries from Nicaragua may have some illegal return migration due to prevalent economic and social issues there; however, its smaller TPS population would represent a lower impact on DHS interests.

(U) Key Assumptions

(U//FOUO) Our analysis assumes that host nations would begin to receive repatriated citizens within 6 to 12 months of TPS expiration, and that a significant portion of beneficiaries would not pursue status adjustment, such as seeking asylum or student visas, to remain in the United States.

IA-0000-18

(U) **LAW ENFORCEMENT SENSITIVE:** The information marked (U//LES) in this document is the property of DHS and may be distributed within the Federal Government and its contractors, its agencies, law enforcement, public safety or protection officials, and individuals with a need to know. Distribution beyond these entities without DHS authorization is prohibited. Recipients should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or an unclassified network.

(U) **Warning:** This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and it is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may not share this document with critical infrastructure and key resources personnel or public sector security officials without further approval from DHS.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

(U//FOUO) We assume that former TPS holders would not migrate in significant numbers to Canada or Mexico prior to being deported from or voluntarily leaving the United States.

- » (U//FOUO) Family and economic ties to the United States likely would motivate repatriated TPS holders to return to the United States, possibly via illegal migration. Many TPS beneficiaries from El Salvador, Honduras, Haiti, and Nicaragua have lived continuously in the United States since the late 1990s, according to USCIS.¹⁴ TPS beneficiaries made up 80 percent of the labor force, are parents to hundreds of thousands of United States citizen children, and maintain strong economic ties to the United States through home and business ownership, according to the Center for Migration Studies, a US-based think tank and educational institute that studies international migration.¹⁵
- » (U//LES) Honduras and El Salvador migrants take well-established overland routes to attempt to access the US Southwest Border illicitly using trains, buses, taxis, and personal cars. Trips take an average of 10 to 21 days and cost up to \$8,000, according to a body of [REDACTED] reporting from 2014 to 2017.¹⁶⁻¹⁸ Former TPS beneficiaries deported from the United States to Honduras and El Salvador could easily use these routes to return almost immediately to the United States; additionally, they likely have the means to pay any associated smuggling costs because of the income they earned while living and working in the United States, according to [REDACTED] research.¹⁴
- » (U//LES) Since consistent USCG patrolling has successfully deterred migrants from traveling on maritime routes, many are resorting to overland routes to the US Southwest Border via South and Central America, according to a body of [REDACTED] reporting.^{15,16,17,18} [REDACTED] assessed in February 2017 that Haitian maritime migration levels are likely to remain constant through FY 2019, barring any change to US immigration policy, a significant natural disaster, or major degradation of security conditions.¹⁹
- » (U//LES) Like other Central Americans, Nicaraguan migrants also take overland routes to reach the US Southwest Border, but the number of Nicaraguan migrants who traveled illegally to the United States compared to those from Northern Triangle countries was relatively low, with less than 1,500 total encounters per year in both FY 2016 and FY 2017, according to [REDACTED] data.^{20,21,22,23}

(U) What Is Temporary Protected Status (TPS)?

(U) The Secretary of Homeland Security may designate a foreign country for Temporary Protected Status (TPS) due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. USCIS may grant TPS to eligible nationals of certain countries (or parts of countries), who are already in the United States. Eligible individuals without nationality who last resided in the designated country may also be granted TPS.²⁴

¹⁴ (U//FOUO) In FY 2016, the total encounters (apprehensions and inadmissibles) for Nicaraguan nationals were 1,347; in FY 2017, the total encounter number was 1,138 [REDACTED]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

(U) TPS Expiration: DHS's Operational and Tactical Considerations

(U//FOUO) [REDACTED] Analysts noted that all TPS beneficiaries losing protected status could seek to adjust their status to prevent deportation. These adjustments include, but are not limited to, other LPR applications, asylum claims, student visas, and non-immigrant visas. Any TPS beneficiary eligible for removal could be sponsored for LPR status by a US citizen child over the age of 21. Given that the average TPS beneficiary is in their mid-forties, many may have US citizen children old enough to assist them in adjusting to LPR status. [REDACTED] also noted that the number of beneficiaries registered does not necessarily reflect the total number of individuals eligible for removal, as many have already adjusted their legal status and have not updated their records with the agency. Any TPS beneficiaries who illegally immigrate to a third nation (such as Canada) would not automatically lose TPS in the United States; however, without advanced permission to leave the country, they would likely be stopped at the border and not allowed to re-enter the United States.^{24,25}

(U//LES) [REDACTED] data shows 240,255 removals processed in FY 2016, at a total cost of \$4.23 billion. The average cost for a removal in FY 2016 was \$11,869 per person, with individuals remaining in detention for an average of 34.9 days. As of 25 September 2017, there were 203 authorized detention facilities in the United States with an average daily population of 38,107.²⁶ Based on current ICE-ERO priorities, loss of TPS benefits alone would not meet the threshold for targeted removal unless individuals are found to be a national security threat, convicted of criminal acts, or previously in removal proceedings before TPS was originally designated.

(U//FOUO) **State and Local Perspective:** [REDACTED] reported many [REDACTED] offices commenting that, if TPS expired for any of the four countries, the impact on both federal operations and state-level interests would be dependent on whether the expiration dates were concurrent or staggered. The Massachusetts [REDACTED] indicated that while the repeal of TPS extensions would increase cost and workload for United States law enforcement, the [REDACTED] office in the state could handle the increase without major issues. The [REDACTED] offices in North Carolina and Florida indicated that they would not have adequate facilities to house any extra deportees, and they might be burdened by the costs associated with the monitoring of parolees, to include GPS ankle monitors and additional staffing needed to support these services. The [REDACTED] office in North Carolina cited the extra burden that TPS expiring would likely have on the federal immigration court system, suggesting that for those without a criminal record, the average wait time for a hearing date would likely be between 12 and 18 months. The [REDACTED] offices in Florida, Georgia, and New York indicated that TPS expiration would have a generally low or unknown impact on state tax revenue and social services due to uncertainties over the size of areas of responsibility, prioritization of removals, timelines for work authorization removal, and differing local demographics. Some polled states indicated that other economic impacts would most likely be felt at the local level.^{27,28}

(U) Alternative Analysis

- » (U//FOUO) I&A considered the possibility that former TPS beneficiaries returning to their home countries would remain there because they perceive US immigration policy as a barrier to returning to the United States. We also could have overestimated the effect that pull factors (the economy, familial and social ties) would have on their decision to return to the United States. If true, our estimates on return migration would be lowered, as would the potential impact to DHS personnel and resources.
- » (U//FOUO) I&A considered the possibility that former TPS beneficiaries would travel to a third nation such as Canada or Mexico. This scenario, if true, was deemed to have no DHS equities.
- » (U//FOUO) I&A considered the possibility that a large number of TPS beneficiaries would legally adjust status in the United States.²⁹ This alternative assumes beneficiaries' knowledge of their legal options to adjust status and could impact wait times for the USCIS case load and federal immigration court. I&A currently lacks data to forecast this scenario.
- » (U//FOUO) I&A considered the possibility that TPS beneficiaries could respond to TPS expiration by staying in the United States illegally rather than attempting to adjust status or departing to their home countries. If true, former TPS beneficiaries would contribute to the pool of illegal overstayers already residing in the United States, and would burden ICE removal operations depending on prioritization. I&A currently lacks data to forecast this scenario.

(U) Tracked by: [REDACTED]

²⁹ (U) Examples of ways TPS beneficiaries could adjust their status include asylum claims, marriage to a US citizen, applications for LPR status, and applications for non-immigrant visas.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY(U) Appendix A:
TPS Overview El Salvador

(U//SBU) El Salvador received TPS designation in 2001 after two earthquakes caused serious damage to the country's housing and security. The country, which experienced subsequent environmental disasters preventing beneficiaries from returning, received its most recent TPS extension in July 2016, expiring on 9 March 2018. El Salvador will continue to lobby for a TPS extension, almost certainly on the grounds that multiple factors (limited immigration infrastructure, underdeveloped economy, environmental problems) lower its reabsorption capacity for potential returnees.^{29,30,31,32}

(U//FOUO) I&A assesses that, if TPS were to expire, well-established family ties in the United States and a host of push factors in El Salvador, such as poor job prospects, gang-related violence, and potentially poor living conditions at home, would lead to high levels of illegal return migration among returnees. Should they decide to return illegally, existing smuggling routes to the US Southwest border would facilitate their return to the United States.^{33,34,35,36}

(U) Registered TPS Beneficiaries in the United States presented by age and location as of 2 October 2017.³⁷

(U) Salvadoran TPS Beneficiaries by Age

*Data Source: USCIS

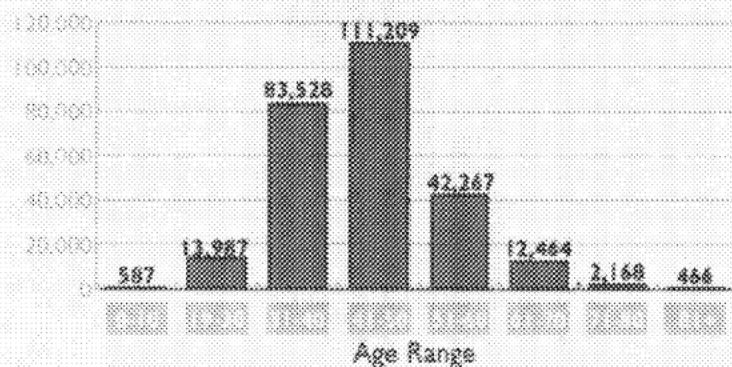


Table 1: Top States and Cities for Salvadoran TPS Holders (as of 2 Oct 2017)			
Top State	Top City	Top State	Top City
California	68,518	Los Angeles, CA	19,399
Texas	40,497	Houston, TX	18,057
New York	11,756	Silver Spring, MD	4,266
Virginia	11,476	Oakland, CA	4,024
Maryland	10,235	Brentwood, NY	4,022
Other States	87,971	Other Cities	127,285
Total Beneficiaries: 277,433			

(U) **Warning:** This document contains UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may not share this document with critical infrastructure and law enforcement personnel or private sector security officials without further approval from DHS.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY**(U//FOUO) Push Factors Increase Potential Illegal Return Migration to the United States**

- » (U) Family ties would certainly lure repatriated TPS beneficiaries back to the United States. TPS holders from El Salvador have some 192,000 US citizen children, while 34 percent have mortgages.³⁸
- » (U//SBU) TPS returnees likely would have difficulties finding employment in El Salvador. The country created only 12,000 out of the 60,000 jobs needed in 2016, according to [REDACTED].³⁹ Nearly 85 percent of TPS holders from El Salvador have a median household income of \$50,000 in the United States, according to estimates by the Center for Migration Studies of New York.⁴⁰ In comparison, the United Nations reports that Salvadorans earn an average of \$4,100 annually.⁴¹
- » (U//SBU) Gang-related violence is a dominant push factor for emigration from El Salvador, which would likely continue for any TPS beneficiaries returning to the country. El Salvador has the world's highest homicide rate outside of war zones, 81 per 100,000 people were killed in 2017, caused by increasing gang-on-gang violence.⁴²
- » (U) TPS returnees would face recurring natural disasters and a government unable to recover from them, making living conditions uninhabitable. El Salvador ranks second in the world for risk exposure to two or more environmental hazards, according to the World Bank—resulting in an estimated 2.5 percent loss in annual GDP and further delay of economic development.⁴³ On 7 July 2017 [REDACTED] recommended the extension of TPS, noting El Salvador's slow economic and social recovery from the 2001 earthquakes, as well as their vulnerability to future environmental disasters.⁴⁴

(U) Host Nation Justifications to Extend TPS

- » (U//SBU) Receiving thousands of returned citizens would overwhelm the government's limited migration infrastructure. Despite passing legislation to improve information sharing concerning returned gang members from the United States, El Salvador's migrant reintegration system remains limited, including a single long-term migration center located in San Salvador that can only facilitate up to 200 individuals per day.⁴⁵⁻⁴⁶ While the center successfully processed approximately 52,580 returning migrants and families in December 2016, [REDACTED] reports convey that the center does not have enough resources to meet the needs of returning TPS deportees.⁴⁷
- » (U//SBU) El Salvador lacks the financial resources to invest in the reintegration of a returning TPS population. TPS beneficiaries provide necessary remittances to families in El Salvador to supplement food and living expenses, creating a cycle of tax-free income that promotes unemployment and limits funding for social services.^{48,49} In 2015, [REDACTED] reporting noted that remittances from the United States (\$4.27 billion) were four times greater than El Salvador's public investment (\$1.02 billion), and 10 times higher than foreign direct investment (\$429 million), further preventing economic development, increasing remittance dependency, driving emigration from El Salvador, and increasing crime.^{50,51}
- » (U//SBU) Environmental and health challenges, according to [REDACTED] render El Salvador unable to handle the return of its citizens from the United States.⁵²⁻⁵³ Salvadorans face high instances of tropical diseases, respiratory illnesses, and traffic-related mortality rates in the region, according to the World Bank, diverting national expenditures from improving immigration and security programming.⁵⁴

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY(U) Appendix B:
TPS Overview Honduras

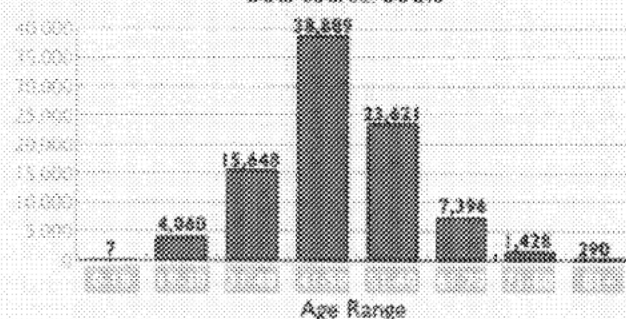
(U//SBU) Honduras received TPS designation in early 1999 in the aftermath of Hurricane Mitch, which killed 5,657 and displaced 1.1 million people. It received its most recent extension in 2016, as additional natural disasters and pandemic illnesses have prevented the country from recovering. With its TPS expiring on 5 January 2018, Honduras will continue lobbying for a TPS extension, likely on the grounds that multiple factors—including a limited migration infrastructure, lack of resources, and national focus on stopping violent crime—will limit its ability to accept returning citizens.^{55,56}

(U//FOUO) I&A assesses that if TPS were to expire, well-established family ties in the United States and a host of push factors in Honduras, such as poor living conditions and fear of gang violence, would very likely lead to high levels of illegal return migration amongst deported beneficiaries. Should these migrants decide to return illegally, existing smuggling routes to the US Southwest border would facilitate their return to the United States.⁵⁷⁻⁵⁸

(U) Registered TPS Beneficiaries in the United States presented by age and location as of 2 October 2017.⁵⁹

(U) Honduran TPS Beneficiaries by Age

*Data Source: USCIS



Honduran TPS Beneficiaries and Cities for Honduran TPS Holders			
October 2017			
City/State	State Percentage	City/State	City Percentage
Florida	17.0%	Miami, FL	8,198
California	14.2%	Houston, TX	6,790
Texas	13.6%	Los Angeles, CA	8,348
North Carolina	5.3%	Brooklyn, NY	1,357
New Jersey	5.2%	Dallas, TX	1,145
Other States	36.1%	Other States	70,118
TPS Holders Total: 81,676			

accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official.

(U) **Warning:** This document contains UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE (U//LES) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may not share this document with critical infrastructure and key resource personnel or private sector security officials without further approval from DHS.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY**(U//FOUO) Push Factors Increase Potential Illegal Return Migration to the United States**

- » (U) Family ties would certainly motivate repatriated TPS beneficiaries to migrate back to the United States. TPS holders from Honduras have nearly 55,000 US citizen children; over 20 percent have mortgages; and over 75 percent have a median household income of \$40,000, according to estimates by the Center for Migration Studies of New York.⁶⁰ By comparison, the United Nations reports that Hondurans earn an average of \$2,500 per year in their home country.⁶¹
- » (U//SBU) Hondurans remain dependent on remittances sent from family members working in the United States—another factor likely to prompt their return to the United States. Remittances comprise nearly 20 percent of the Honduran GDP, according to [REDACTED] ^{62,63}
- » (U) Honduras' inadequate living conditions could prompt emigration. The government has been unable to reconstruct much of the Honduran infrastructure due to the 2009 economic crisis and subsequent tropical storms in 2010 and 2011. As of 2013, nearly 40 percent of households did not have electricity and 15 percent had no access to clean water, which increased food and waterborne illnesses, according to the World Bank.⁶⁴ On 29 June 2017, [REDACTED] recommended the extension of TPS because of Honduras' slow economic and social recovery from Hurricane Mitch, as well as their vulnerability to future environmental disasters.⁶⁵
- » (U//SBU) Honduras' insecurities would likely drive migration to the United States for TPS returnees, who are accustomed to the lower crime rates of the United States. While homicide rates in Honduras have decreased since 2011, [REDACTED] and UN reports note that the country ranks as the second most dangerous in the region, with 56 per 100,000 people killed. [REDACTED] also report that the country likely would need additional time to formalize initial investments in security reform and infrastructure to decrease illegal migration.^{66,67,68}

(U) Host Nation Justifications to Extend TPS

- » (U//SBU) Limited migration infrastructure and social programs reduces Honduras' ability to support returning citizens. Honduras continues to have reintegration challenges, according to the World Bank, due to widespread corruption within public services, inadequate nutrition resources, and deficient government presence in rural areas, where 45 percent of citizens reside. In the past year, the country has improved its ability to accept some returning citizens, [REDACTED] by opening migration centers in three urban areas.^{69,70,71}
- » (U//SBU) The Honduran Government lacks the ability to provide resources to agencies charged with integrating repatriated citizens. Honduras has one of the weakest economies in Latin America, according to [REDACTED] and World Bank reports, and it is unlikely to improve in the near future because of limited investment opportunities, decreasing labor participation, and ineffective tax collection services.^{72,73}
- » (U//SBU) The Government of Honduras views reintegration of returned citizens as a lower priority and focuses most of its resources on reducing gang violence and other domestic challenges. As part of a regional effort to stabilize migration, Honduras prioritized reducing corruption, battling gangs, and strengthening security services. Such initiatives would likely require long-term funding and political will, and, according to [REDACTED], accommodating 91,000 TPS compatriots would prevent success.^{74,75}

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY(U) Appendix C:
TPS Overview Haiti

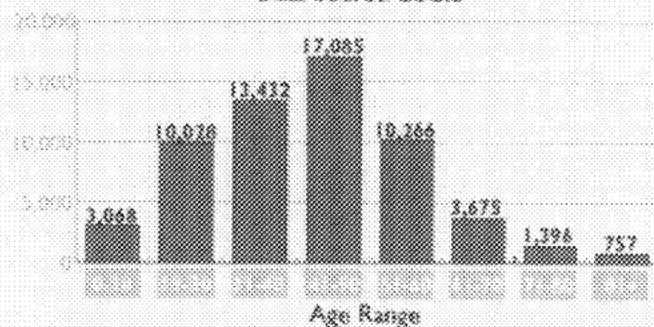
(U//SBU) Haiti received TPS designation in January 2010 after a 7.0 magnitude earthquake killed 300,000 and displaced 1.5 million Haitians. TPS status was most recently extended for an estimated 60,000 migrants in July 2017 after the devastation of Hurricane Matthew in 2016, which killed 475 and displaced 175,000 Haitians. Haiti's TPS expires on 22 January 2018, and the Government of Haiti will request another 18-month TPS extension before the deadline.^{76, 77} Limited migration-processing organizations, law enforcement challenges, and few resources are likely reasons the Government of Haiti requires more time for recovery and preparation.

(U//FOUO) I&A assesses that the expiration of TPS would very likely prompt illegal return migration among deported beneficiaries, despite typical maritime and land migration challenges, due to decades-long economic and family ties to the United States and a host of push factors in Haiti—including low employment opportunities, and rising violent crime.^{78, 83}

(U) Registered TPS Beneficiaries in the United States presented by age and location as of 2 Oct 2017.⁸⁴

(U) Haitian TPS Beneficiaries by Age

*Data Source: USCIS



(U//FOUO) Top States and Cities for Haitian TPS Holders Data as of 2 Oct 2017			
Top 5 States	Total Beneficiaries	Top 5 Cities	City Beneficiaries
Florida	34,304	Miami, FL	6,573
New York	9,761	Brooklyn, NY	4,455
Massachusetts	4,834	Orlando, FL	4,032
New Jersey	3,152	Fort Lauderdale, FL	1,538
Georgia	156	New Port Beach, FL	1,314
Other States	7,127	Other Cities	41,764
TPS Extension Ends 1/22/2018			

All Warnings: This document contains UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE (U//LES) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be handled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local law enforcement officials may not share this document with other law enforcement and law enforcement personnel or private sector security officials without further approval from DHS.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY**(U//FOUO) Push Factors Increase Potential Illegal Return Migration to the United States**

- » (U//SBU) Beneficiaries returning to Haiti would likely be forced to return to the United States, as a lack of employment forces most Haitian citizens to rely on remittances sent from abroad. [REDACTED] reporting shows annual remittances from Haitians living abroad to family members in Haiti match or outpace the Government of Haiti's national budget, accounting for an estimated \$2 to \$2.5 billion annually. Haiti's 2017-2018 budget calls for an increase in taxes on Haitian citizens, according to [REDACTED] reporting.^{86,88}
- » (U//SBU) Natural disasters continue to weaken the country's infrastructure. More than 98 percent of Haitians are vulnerable to two or more types of natural disasters, including hurricanes, floods, landslides, and drought. [REDACTED]. Additionally, Haiti's education system is poorly managed, with only 29 percent of school-aged children enrolled in school because of tuition costs and a lack of government resources, according to [REDACTED] reporting.^{91,93}
- » (U) Family ties and economic opportunities likely will draw repatriated TPS holders, possibly using illicit means, to the United States. TPS holders from Haiti have some 27,000 United States citizen children, while a quarter of all TPS holders have a mortgage and a median household income of \$45,000, according to estimates by the Center for Migration Studies of New York.⁸⁹
- » (U//SBU) [REDACTED] on 3 August 2017, recommended the extension of TPS for Haiti due to its slow economic and social recovery after the 2010 earthquake and Hurricane Matthew, as well as its vulnerability to future environmental disasters.⁹⁰
- » (U//SBU) Haitian returnees will likely choose the United States over other destinations. USCG deterrence has prevented most maritime migration, and historic migrant destinations such as Brazil and the Dominican Republic are no longer viable options due to economic or social strife, according to [REDACTED] reporting.^{91,92}

(U) Host Nation Justifications to Extend TPS

- » (U//SBU) Haiti has no long-term repatriation process established, causing inconsistent and unreliable support for future deportees and DHS deportation operations. [REDACTED] in Port-au-Prince have assessed that Haiti's ability to reabsorb US TPS holders is unsustainable and that, if Haiti is unable to receive compatriots, DHS deportation flights will not be able to continue.^{88,94,95}
- » (U//SBU) Exacerbating Haiti's ability to reintegrate returnees is the ongoing deportation of Haitians from the Dominican Republic. About 200,000 Haitians have uncertain statuses in the Dominican Republic, and currently 5,500 to 6,000 Haitians are being deported monthly from the Dominican Republic.⁹⁶
- » (U//SBU) Government and NGO repatriation assistance does not extend to more rural areas of the country, which likely will cause TPS deportees to pool into already overpopulated city centers struggling to deal with rising violent crime rates, according to diplomatic reporting. Traditionally safer and more affluent neighborhoods in Port-au-Prince, as of 18 June, are experiencing a spike in violence, according to diplomatic reporting. This trend is attributed to corrupt judges, lack of appropriate law enforcement leadership response, and the withdrawal of UN Stabilization Mission in Haiti (MINUSTAH) forces in mid-October.^{97,98}
- » (U//SBU) The Government of Haiti does not view reintegration as a priority and most resources will be allocated to other issues. Diplomatic and Haitian media have regularly reported widespread nepotism and political corruption, and most governmental departments are running multi-million dollar deficits. Forward progress and economic growth remain low. Haiti's most recently passed \$2.2 billion budget sparked violent protests in September over local perceptions of corrupt and counterproductive governmental allocations, according to a body of Haitian media.^{99,100}

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

Page 9 of 17

AR-HAITI-000000094

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY(U) Appendix D:
TPS Overview Nicaragua

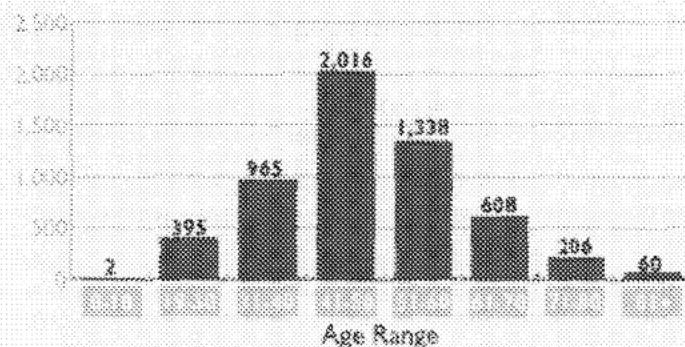
(U//SBU) Nicaragua received TPS designation in January 1999 after Hurricane Mitch and flooding caused severe damage and disruption to living conditions. TPS designation has been continually extended because of subsequent natural disasters, including extensive flooding, two earthquakes, 426 eruptions of the Telica volcano, a prolonged regional drought, and a coffee rust epidemic. TPS status is set to expire 5 January 2018.¹⁰⁸

(U//FOUO) I&A assesses that the Government of Nicaragua would not request a new TPS extension because the government appears uninterested in engaging with the United States and is probably capable of reintegrating the considerably small population of TPS holders back into the country. However, if TPS were to expire, I&A assesses that decades-long economic and family ties to the United States, as well as a host of push factors—including low employment opportunities and a corrupt government system—would lead to high illegal return migration among deported beneficiaries.

(U//FOUO) Registered TPS Beneficiaries in the United States presented by age and location as of 2 Oct 2017.¹¹⁰

(U) Nicaraguan TPS Beneficiaries by Age

*Data Source: USCIS



(U//FOUO) Top States and Cities for Nicaraguan TPS Holders
Data as of 2 Oct 2017

Top States	Top Cities	Top States	Top Cities
Florida	2,612	Florida, FL	1,094
California	1,017	Hialeah, FL	279
Texas	864	Houston, TX	197
New York	160	Los Angeles, CA	156
New Jersey	156	San Francisco, CA	68
Other States	1,204	Other States	3,219

TPS Expiration: 5 Jan 2018

(U) Warning: This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to U//FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local law enforcement security staff may not share this document with critical infrastructure and key resource personnel or private security officials without further approval from DHS.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY**(U//FOUO) Push Factors Increase Potential Illegal Return Migration to the United States**

- » (U//SBU) Deported TPS holders are unlikely to find work in Nicaragua comparable to US employment, prompting them to return to the United States. In Nicaragua, over 75 of Nicaraguans work exclusively in informal jobs without official contracts or benefits and are highly vulnerable to employer exploitation, according to [REDACTED].¹¹¹
- » (U//SBU) Migrant returnees would return to Nicaragua with major infrastructure and lack of employment opportunities due to reduced international investment. Significant international aid to Nicaragua's economy and infrastructure was recently suspended following the government's non-transparent and flawed 2011 elections.¹¹²
- » (U) Nicaraguan returnees face fewer security challenges than neighboring countries with high violence levels. Nicaragua's top military official stated in September that Nicaragua has lower levels of crime and drug seizures than neighboring countries, and experts in Nicaragua assert that the transnational gang La Mara Salvatrucha (MS-13) does not have a significant presence there, according to a pro-US Latin American media report.^{113,114}
- » (U//SBU) Returning TPS holders would find a more authoritarian country in Nicaragua, which could push newly arriving TPS holders to leave. The Nicaraguan presidential administration continues to consolidate power, according to [REDACTED]. In 2016, President Ortega and his wife, the Vice President, openly manipulated the political system to guarantee reelection. Additionally, in 2016, the government increased harassment and intimidation of NGOs, political opposition, and civil society organizations, according to the same report.¹¹⁵

(U) Host Nation Justifications to Extend TPS

- » (U//SBU) The current Nicaraguan administration does not appear to be interested in lobbying for TPS despite significant economic and security challenges. Latin American media reported in July that Roger Castano, the Permanent Commission for Human Rights who lobbied for TPS extension for Central Americans, said that President Ortega's administration "has not shown interest in his compatriots settled in the United States."^{116,117} [REDACTED] in Managua noted in July 2017 that Nicaragua's extreme weather and drought no longer met the threshold for special protected status.¹¹⁸

(U) **Warning:** This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and other incident security officials may not share this document with critical infrastructure and key resource personnel or private sector security officials without further approval from DHS.

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

(U) Source Summary Statement

(U//LES) This assessment relies heavily upon [REDACTED] NGC, and foreign media reporting to assess current and past economic, social, and environmental challenges, and to assess likely future impact of TPS expiring for beneficiaries from four Western Hemisphere countries. IDA has medium confidence in our assessment of the potential return migration of TPS beneficiaries, as migration trends are susceptible to public perceptions, misinformation, and individual family decisions. This assessment could have benefited from more reporting to corroborate [REDACTED] and open source reporting on the countries' motivations for TPS extension and their capabilities for reintegrating returning migrants. IDA also concludes that IDA and open source reporting on the countries have been influenced by host nation policies. IDA reviewed policy and operational insight and some statistics from [REDACTED] and media sources used could encourage the agencies' firsthand sources and experience with TPS and the deportation process. Additionally, we received tactical information from [REDACTED] which we considered reliable but incomplete. We did not have sufficient time to pursue responses from at least two states that have a large majority of TPS holders—California and Texas—but still received a good survey of operational considerations from the states with sizable TPS populations: Florida, Georgia, Massachusetts, New York, and North Carolina.

(U) [Journal] Robert Warren and Daniel Keown - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti | July 2017 | 578-602 | 21 Sep 2017 | 1

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

²⁵ [Online Publication | RIN 1615-2B53 | United States Government Publishing Office | Federal Register Extension of the Designation of El Salvador for
Temporary Protected Status | 6 Jul 2016 | 44545-44551 | www.gpo.gov/fdsys/pkg/FR-2016-07-06/pdf/2016-15802.pdf | 14 September 2017 |]
²⁶ [Online Publication | RIN 1615-2B53 | United States Government Publishing Office | Federal Register Extension of the Designation of El Salvador for
Temporary Protected Status | 8 Jul 2016 | 44545-44551 | www.gpo.gov/fdsys/pkg/FR-2016-07-08/pdf/2016-15802.pdf | 14 September 2017 |]
²⁷ [Online Publication | The World Bank Group | Systematic Country Diagnostic | El Salvador: Building on Strengths for a New Generation | May 2015 | x |
www.worldbank.org | 20 Sep 2017 |]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

[REDACTED]

⁴³ [(U) [Journal | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 09/21/2017 |]

⁴⁴ [(U) [Journal | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 09/21/2017 |]

[REDACTED]

⁴⁵ [(U) [Journal | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 09/21/2017 |]

⁴⁶ [Online Publication | United Nations | El Salvador Profile | 2017 | | n/a | data.un.org/countryprofile.aspx?cname=El%20Salvador | 17 October 2017 |]

[REDACTED]

⁴⁷ [Online Publication | The World Bank Group | Systematic Country Diagnostic | El Salvador: Building on Strengths for a New Generation | May 2015 | | x | www.worldbank.org | 20 Sep 2017 |]

[REDACTED]

⁴⁸ [Internet Site | International Organization for Migration | Press Release | IOM Launches Reconstruction of Migration Center | 3 July 2015 | N/A | www.iom.int/news/iom-launches-reconstruction-migrant-reception-center-el-salvador | 26 September 2017 | IOM is the United Nation's Migration Center]

[REDACTED]

⁴⁹ [Online Publication | 2017 World Health Statistics | 2017 World Health Statistics | 2017 | 59-72 | www.who.int | 26 September 2017 |]

[REDACTED]

⁵⁰ [Online Publication | The World Bank Group | Systematic Country Diagnostic | El Salvador: Building on Strengths for a New Generation | May 2015 | | iii, ix | www.worldbank.org | 20 September 2017 |]

⁵¹ [Online Publication | USCIS | United States Government Publishing Office | Extension of the Designation of Honduras for Temporary Protected Status | 15 May 2016 | 30331-30337 | www.gpo.gov/fdsys/pkg/FR2016-05-18/pdf/2016-11306.pdf | 13 Sep 2017 |]

[REDACTED]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

- [REDACTED]
- ⁶² [(U) (Journal) | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti | July 2017 | 578-592 | | 21 Sep 2017 |]
- ⁶³ [(U) (Journal) | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti | July 2017 | 578-592 | | 21 Sep 2017 |]
- ⁶⁴ [Online Publication | United Nations | Honduras Profile | 2017 | | n/a | data.un.org/countryprofile.aspx?cname=Honduras | 17 Oct 2017 |]
- ⁶⁵ [Online Publication | World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 Sep 2017 |]
- [REDACTED]

- ⁶⁶ [Online Publication | World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 Sep 2017 |]
- [REDACTED]

- ⁶⁷ [Internet Site | United Nations Office of Drugs and Crime (UNODC) | World Bank Data Open Data | UNODC Intentional Homicide Statistics Database | Periodically | N/A | data.worldbank.org/indicator/VC.IHR.PSRG.P5?end=2015&locations=US-SV-HN&start=1995&view=chart | 26 Sep 2017 | The World Bank displays open license data from international data bases, including the United Nations Office of Drugs and Crime (UNODC) Intentional Homicide Statistics |]
- [REDACTED]

- ⁶⁸ [Online Publication | World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 Sep 2017 |]
- ⁶⁹ [Online Publication | World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 Sep 2017 |]
- [REDACTED]

- ⁷⁰ [Online Publication | World Bank Group | Systematic Country Diagnostic | Honduras: Unlocking Economic Potential for Greater Opportunities | 2016 | 13 | www.worldbank.org | 20 September 2017 |]
- [REDACTED]

- ⁷¹ [(U) (Internet Site | CIA | The World Factbook | 13 June 2017 | 08 Sep 2017 | | https://www.cia.gov/library/publications/the-world-factbook/geos/hn.html | 21 Sep 2017 |]
- ⁷² [OSE | LAR2017080382932260 | GUIDE ID: 1002/44944f6c-513e-432d-bcf8-7024d148bf4b | 5 Aug 2017 | | (U) Deportations Loom in Dominican Republic for Haitian Migrants | | (UNCLASSIFIED) | (UNCLASSIFIED) |]
- [REDACTED]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

[REDACTED]

⁸³ [OSE | LAW2017090487058773 | GUIDE ID: 1002/fa9cc2bf-5609-4058-aa41-e15e7540e954 | 5 Sep 2017 | | (U) Haitian Government Increases Efforts To Extend Temporary Protected Status | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

[REDACTED]

⁸⁴ [OSE | LAR2017052278342241 | GUIDE ID: 1002/4e8fd36-e20e-4c1e-9dde-8f96496119d7 | 23 May 2017 | | (U) Haitian Government Request Temporary Protection Status Renewal in Washington | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

⁸⁵ (U) [Journal | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 21 Sep 2017 |]

[REDACTED]

⁸⁶ (U) [Journal | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti. | July 2017 | 578-592 | | 21 Sep 2017 |]

[REDACTED]

[OSE | LAR2017052278342241 | GUIDE ID: 1002/4e8fd36-e20e-4c1e-9dde-8f96496119d7 | 23 May 2017 | | (U) Haitian Government Request Temporary Protection Status Renewal in Washington | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

[REDACTED]

⁸⁷ [OSE | LAR2017052278342241 | GUIDE ID: 1002/4e8fd36-e20e-4c1e-9dde-8f96496119d7 | 23 May 2017 | | (U) Haitian Government Request Temporary Protection Status Renewal in Washington | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

[REDACTED]

⁸⁸ [OSE | LAR2017082182410584 | GUIDE ID: 1002/340c0b0a-7880-4712-9c90-38abe002c112 | 28 August 2017 | | (U) Haiti: Economist Labossiere Labels 2017-2018 Budget 'Disastrous' | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

[REDACTED]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

¹⁰¹ [OSE | LAR2017071774194169 | GUIDE ID: 1002/1cfc76ce-2d01-4689-bc63-6e5906a01302 | 18 July 2017 | | (U) Haiti: Editorial Criticizes Bigger Budget for National Assembly Than for Health | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

¹⁰² [OSE | LAW2017090467604683 | GUIDE ID: 1002/73d5716a-88f9-4540-8348-706311587270 | 5 September 2017 | | (U) Haiti: PHTK Senator Joseph Strongly Criticizes Moise Over Draft Budget | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

¹⁰⁴ [OSE | LAR2017071771878883 | GUIDE ID: 1002/891c8314-1763-4697-b89b-56fa2cb45175 | 18 July 2017 | | (U) Haiti: Hospitals Remain Paralyzed As Health Workers Continue Strike Unsatisfied With Wage Increase | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

¹⁰⁶ [OSE | LAR2017061268196511 | GUIDE ID: 1002/5b04248d-9bd2-4d7c-857a-e268aebd88a8 | 14 June 2017 | | (U//FOUO) Haiti: Profile of New Cabinet Members | | (U//FOUO) | (U//FOUO) |]

¹⁰⁷ [OSE | LAR2017042775832921 | GUIDE ID: 1002/ad86cb36-0523-4729-b097-05e4e841193a | 28 April 2017 | | (U) Editorial Says Guy Philippe Pleads Guilty Highlighting Haiti's Weak Judicial Institutions | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

¹⁰⁸ [OSE | LAR2017071772738671 | GUIDE ID: 1002/bac1045-cd6c-4aee-887c-1715b5a58a0e | 16 July 2017 | | (U) Haiti: Former Prime Minister Landi Rejects Unfounded Accusations in Senator Latortue's Report | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

¹¹⁰ (U) [Journal | Robert Warren and Donald Kerwin - Center for Migration Studies | Journal on Migration and Human Security | A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti | July 2017 | 578-592 | | 21 Sep 2017 |]

¹¹³ [OSE | LAW2017091260887916 | GUIDE ID: 1002/b27bf6cc-33af-4c55-9462-8f0afb7d5fdb | 15 September 2017 | | (U) Experts Say Mara Salvatrucha Organization Does Not Operate in Nicaragua | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

¹¹⁴ [OSE | LAW2017090858687710 | GUIDE ID: 1002/27eef148-75c7-4dda-9f67-81c258950fde | 3 September 2017 | | (U) Revision: Nicaragua Report Asserts Existence of Large-Scale Drug Trafficking Operations | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

¹¹⁷ [OSE | LAR2017072466818957 | GUIDE ID: 1002/56f8500-1745-4b6f-b130-9117c094f8a8 | 27 July 2017 | | (U) Nicaragua: Thousands of Migrants On Edge Over Possible Expiration of TPS | | (UNCLASSIFIED) | (UNCLASSIFIED) |]

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
DHS INTERNAL ONLY

DPP_00002472

AR-HAITI-00000103

UNCLASSIFIED//SENSITIVE BUT UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

U.S. Department of Homeland Security

U.S. Customs and Border Protection

INTELLIGENCE NOTE

CBP-DI-IN-003U-18

19 October 2017

(U//FOUO) [REDACTED]

(U//FOUO) [REDACTED]

- (U) Haitian, Honduran, and Salvadoran nationals combined account for approximately 94 percent (435,048) of all TPS recipients, according to U.S. Citizenship and Immigration Services,⁶ with Salvadoran nationals representing the largest diaspora (263,282) receiving TPS benefits in the United States.⁷

— (U//SBU) [REDACTED]

(U) Countering Misinformation

(U//SBU/FOUO) [REDACTED]

⁶(U) The Secretary of Homeland Security may designate a foreign country for TPS due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. At least 60 days prior to a country's TPS designation or extension expiration, a review is completed to determine whether the conditions for the TPS designation continue to be met.

⁷(U) TPS status for Nicaragua is also designated to end January 5, 2018, however, given the small number of beneficiaries (5,349), they were not included in this assessment.

UNCLASSIFIED//SENSITIVE BUT UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

UNCLASSIFIED//SENSITIVE BUT UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

[REDACTED]

— (U//LES)

[REDACTED]

(U//FOUO)

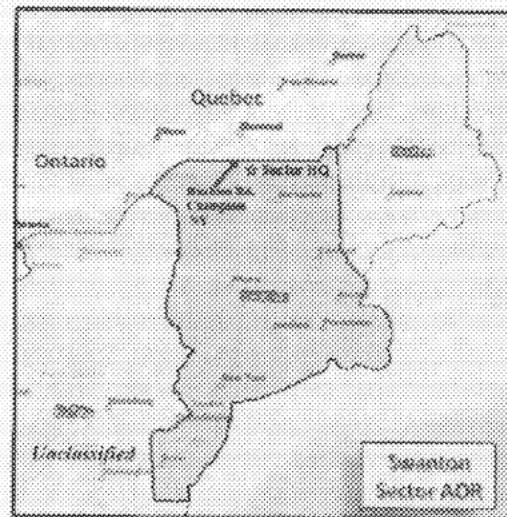
[REDACTED]

— (U//LES)

[REDACTED]

— (U//FOUO)

[REDACTED]



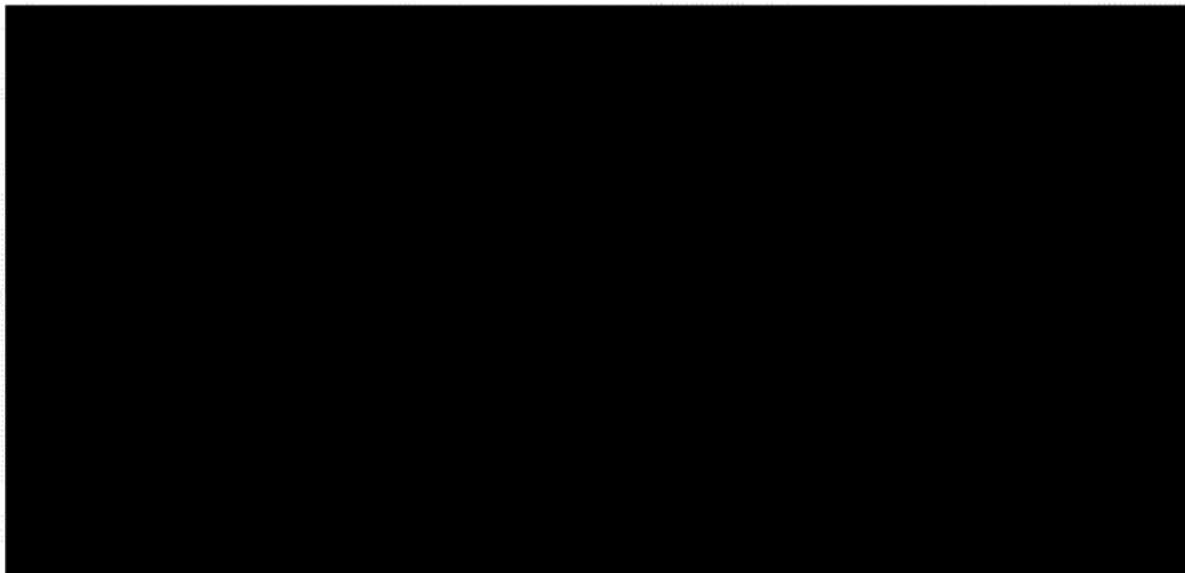
- (U) TPS beneficiaries from Haiti, Honduras, and El Salvador mainly reside in six U.S. states, four of which are in the east: Florida (45,000), New York (26,000), Virginia (24,000), and Maryland (23,000), according to the Center for Migration Studies. The remaining two states—located in the West—are California (55,000) and Texas (45,000).²⁰

UNCLASSIFIED//SENSITIVE BUT UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

Page 2 of 4

UNCLASSIFIED//SENSITIVE BUT UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

(U//FOUO) [REDACTED]



(U//FOUO) [REDACTED]

(U) This product responds to: CBP-OI-POA-TOC-2, CBP-OI-POA-TOC-3

(U) Tracked by: DHS IE Intelligence Priority-Illicit Immigration and Travel

(U) Reporting Notice: This product was prepared by U.S. Customs and Border Protection, Office of Intelligence (OI). It was coordinated with U.S. Border Patrol Intelligence Division (HQ), CBP Attaché- U.S. Embassy Ottawa, Canada Border Security Agency, U.S. Citizenship and Immigration Services, HSI-Human Smuggling Cell, and DHS Office of Intelligence and Analysis.

(U) FEEDBACK: For general comments or questions related to the dissemination of this document, please e-mail the CBP OI Production Management inbox at: CBPOIProductionManagement@cbp.dhs.gov or call 202-325-3659.

(U) Please participate in a brief customer feedback survey regarding this product. Your feedback is important to our efforts to improve the quality and impact of our products on your mission. Please scroll to the last page to find the form and then follow a few simple steps to complete and submit your response. Thank you.

(U//FOUO) [REDACTED]

UNCLASSIFIED//SENSITIVE BUT UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

Page 3 of 4

UNCLASSIFIED//SENSITIVE BUT UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

- ¹ (U) | Federal Register | 24 May 2017 | (U) Extension of the Designation of Haiti for Temporary Protected Status | Accessed on 8 September 2017 | Extracted information is U | Overall record is U | <https://www.federalregister.gov/documents/2017/05/24/2017-10749/extension-of-the-designation-of-haiti-for-temporary-protected-status>
- ² (U) | DoS | 17 Montreal 314 | 15 September 2017 | (U) Canada: Volume of Asylum Seekers Gainers Wide Attention | Extracted information is U | Overall document is U
- ³ (U) | DoS | 17 Montreal 328 | 25 September 2017 | (U) Canada: Information Sharing Stems the Tide of Asylum Seekers | Extracted information is U | Overall document is U
- ⁴ (U) | Newsweek | 27 September 2017 | (U) Want to Move to Canada? Canadian Immigration Officials Say You Shouldn't | Accessed on 3 October 2017 | Extracted information is U | Overall record is U | <http://www.newsweek.com/want-move-canada-canadian-immigration-officials-say-you-shouldnt-672253>
- ⁵ (U//FOUO) [REDACTED]
- ⁶ (U) | USCIS | 28 September 2017 | (U) Temporary Protected Status Review Schedule | Extracted information is U | Overall record classification is U
- ⁷ (U) | DoS | 17 Montreal 262 | 10 August 2017 | (U) Canada: Haitian Northbound Asylum Seekers are Not Guaranteed Status in Canada | Accessed on 14 September 2017 | Extracted information is U | Overall document is U
- ⁸ (U) | OSC | LAR2017081473772659 | 15 August 2017 | (U) Haitian Migrants being Misled While Seeking Asylum in Canada | Accessed on 14 September 2017 | Extracted information is U | Overall document is U
- ⁹ (U) | CBC News | 5 August 2017 | (U) Misleading Social Media Messages Entice Haitian Asylum Seekers to Come to Canada | Accessed on 14 September 2017 | Extracted information is U | Overall record classification is U | <http://www.cbc.ca/news/canada/montreal/misleading-information-haitian-asylum-seekers-1.4235565>
- ¹⁰ (U) | DoS | 17 Montreal 314 | 15 September 2017 | (U) Canada: Volume of Asylum Seekers Gainers Wide Attention | Extracted information is U | Overall document is U
- ¹¹ (U) | OSC | LAW2017083056210577 | 30 August 2017 | (U) Northern Central America Media Watch: Guatemala Court Rules Against Expulsion of CICIG Commissioner | Accessed on 8 September 2017 | Extracted information is U | Overall document classification is U
- ¹² (U) | CBP | IIR 4 042 0690 17 | (U//LES) Migrant Perceptions Regarding U.S. Executive Order 13780 and Perceived Changes in U.S. Immigration and Enforcement Policies | Extracted information is U//LES | Overall document classification is U//LES
- ¹³ (U) | New York Times | 10 August 2017 | (U) A Surge of Migrants Crossing into Quebec Tests Canada's Welcome | Accessed on 4 October 2017 | Extracted information is U | Overall record classification is U | <https://www.nytimes.com/2017/08/10/world/americas/a-surge-of-migrants-crossing-into-quebec-tests-canadas-welcome.html>
- ¹⁴ (U) | CBP | 17 May 2016 | (U) Swanton Sector Vermont | Accessed 26 September 2017 | Extracted information is U | Overall document classification is U | <https://www.cbp.gov/border-security/along-us-borders/border-patrol-sectors/swanton-sector-vermont>
- ¹⁵ (U) | CBP | 3 October 2017 | (U) USBP Northern Border TSM Outbound Report- FY 2017 | Extracted information is U//FOUO | Overall document classification is U//FOUO
- ¹⁶ (U//FOUO) [REDACTED]
- ¹⁷ (U) | CBP | HSIR-SWB-16-259402 | 13 September 2016 | (U//LES) U.S. Border Patrol Swanton Sector/Canada Threat Assessment | Extracted information is U//LES | Overall document classification is U//LES
- ¹⁸ (U) | CBS News | 9 August 2017 | (U) Country Road to Canada is Route to Hope for Many Migrants | Accessed on 4 October 2017 | Extracted information is U | Overall document classification is U | <https://www.cbsnews.com/news/migrants-flood-canada-roxham-road/>
- ¹⁹ (U//FOUO) [REDACTED]
- ²⁰ (U) | The Center for Migration Studies- Journal on Migration and Human Security | 2017 | (U) A Statistical and Demographic Profile of the US Temporary Status Populations from El Salvador, Honduras, and Haiti | Accessed on 4 October 2017 | Extracted information is U | Overall document is U | <http://cmsny.org/publications/jmhs-tps-el-salvador-honduras-haiti/>
- ²¹ (U) | CBP | 3 October 2017 | (U) USBP Northern Border TSM Outbound Report- FY 2017 | Extracted information is U//FOUO | Overall document classification is U//FOUO

UNCLASSIFIED//SENSITIVE BUT UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

Page 4 of 4

- do all 4 countries together?
- no real reason to expand
- where did the decision come from?
whose recommendation? It was domestic
John's first thought: pulled crowd of still parties

John's Congress
guilt of Galt's
for orderly transition
aspirations

John Sullivan
considers do not want TPS extension
foreign policy issues - important partners
hard to absorb large number
Haitians No 26 pres. election

Kelly wants
to give "advice"
advice "what
termination in
Haiti
elimination?"

- when I met w/ Kelly, stated I'd not but not
terminate

Marcy (Public Affs)
Separate Haiti from central americans
- don't want to get into close bond
of 2019 political or mid terms
termination allows merit based
system
we want then take on a path to naturalize
Congress

Sessions

pushing time is less exposed
under law can't keep certifying
can't concede the law
if Congress wants to deal w/ then do
don't imply they've been mistreated
not worried about dates
problematic to recertify
just bite the bullet
dangerous to separate Haiti out - prejudice against
the Haitians

Sessions

how do you let this happen. is
 what the people will say
 no one has got to pull the trigger
 can not deny

Sullivan

who gets to stay needs to be determined
 unambiguously

Andrew

Dec 18 is best chance to get a bill
 Sessions disagrees

Sessions

- we go to Speaker & get things
 get bill ady House that is strong person
 get Senate to support House &
- until we end the illegality
 amnesty vote is more stark
- Congressional Pressure
 Campaign

004034

THE WHITE HOUSE

WASHINGTON

November 3, 2017

MEMORANDUM FOR

MS. LISA D. KENNA
Executive Secretary
Department of State

MS. SARAH H. SANDERS
Assistant to the President
and Press Secretary

MS. TASHINA GAUHAR
Associate Deputy Attorney
General
Department of Justice

MR. ANDREW BREMBERG
Assistant to the President
and Director of the Domestic
Policy Council

MR. SCOTT KRAUSE
Executive Secretary
Department of Homeland Security

MR. MARC SHORT
Assistant to the President
and Director of Legislative
Affairs

GEN JOHN F. KELLY, USMC (RET)
Assistant to the President
and Chief of Staff

MR. JOHN EISENBERG
Deputy Assistant to the
President and Deputy
Counsel to the President

MS. KIRSTJEN NIELSEN
Assistant to the President
and Principal Deputy Chief of
Staff

SUBJECT: Principals Small Group Meeting on Temporary
Protected Status

There will be a Principals Small Group meeting on Temporary Protected States on Friday, November 3, 2017, from 9:15 - 10:00 a.m. in the White House Situation Room. An agenda is attached at Tab A. A discussion paper is attached at Tab B. **Please pass the attached to Principals.** If you have any questions, please contact Scott Oudkirk at [REDACTED]

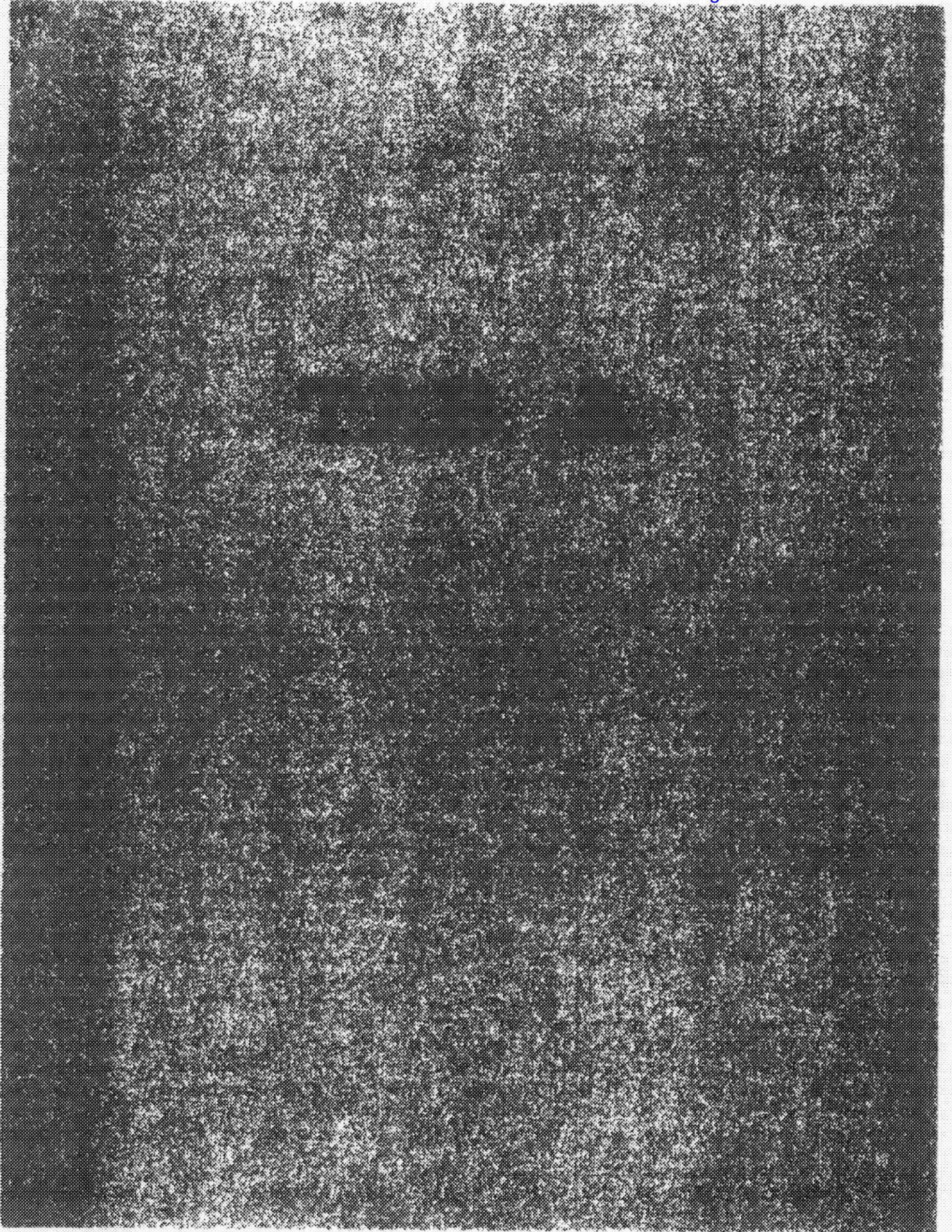
Jan J. Kellogg for

LTG (Ret) J. Keith Kellogg
Executive Secretary and Chief of Staff
National Security Council

Attachments

Tab A Agenda

Tab B Discussion Paper on Temporary Protected Status (NSC)



004034

RESTRICTED PRINCIPALS COMMITTEE MEETING
ON TEMPORARY PROTECTED STATUS

DATE: November 3, 2017
LOCATION: White House Situation Room
TIME: 9:15-10:00 AM

AGENDA

- I. Overview of Temporary Protected StatusDHS
- II. Discussion of Extension and Termination OptionsALL
- III. Recommendations and ImplementationALL

TAB B

004034

DISCUSSION PAPER FOR
PRINCIPALS SMALL GROUP MEETING ON TEMPORARY PROTECTIVE STATUS

Purpose

To coordinate the conditions and process for terminating temporary protected status (TPS) for aliens from El Salvador, Honduras, Nicaragua, and Haiti. The Acting Secretary of Homeland Security must make a decision by Monday, November 6, 2017.

Background

TPS, legislated by Congress in 1990 as Section 244 of the Immigration and Nationality Act (INA), was designed as a humanitarian response tool to shelter aliens present in the United States whose countries suffer from either an ongoing armed conflict or natural disaster. Although the INA stipulates that TPS be temporary, in the cases of these four countries, successive administrations have routinely extended it. TPS, although not providing a durable legal status in the United States, allows its beneficiaries to gain work authorization and otherwise live fully integrated lives here. Over the course of the beneficiaries' many years residing in the United States, many have had U.S. citizen children and established extensive ties to their local communities.

Nine countries are designated for TPS and approximately 435,000 individuals benefit. The total number of beneficiaries for the four countries under immediate consideration is approximately 413,500 people or 95 percent of all TPS beneficiaries in the United States (Tab A). Honduras and Nicaragua received TPS designation in 1999 as a result of Hurricane Mitch. El Salvador and Haiti received their designation in 2001 and 2010, respectively after earthquakes. Although a decision on El Salvador is not required until January, the Acting Secretary of Homeland Security intends to handle all three Central American countries simultaneously in light of their shared geography and the similar predicates. The deadline for a determination on Haiti's TPS is on November 23, 2017, supporting a case for setting a unified course of action for all four countries simultaneously.

Discussion

INA Section 244(b)(3)(A) requires the Acting Secretary of Homeland Security to determine 60 days before the expiration of a country's TPS period of designation whether to extend or terminate the status based on an evaluation of the conditions that initially warranted granting TPS. The Department of Homeland Security (DHS) conducts its own assessment of country conditions, but the law also requires consultation with appropriate agencies, which for TPS has customarily resulted in the Secretary of State providing an assessment and recommendation. The Acting Secretary of Homeland Security is not obliged to concur with the Secretary of State's recommendations but often does. Extensions may be for a period not less than six months and not more than 18 months.

In addition to the option of terminating or extending TPS, there are two other possibilities. The INA allows a re-designation, which can redefine the rationale for the designation based on changed but still extraordinary and temporary conditions in the foreign state or redefine which aliens present in the United States are eligible to benefit. INA Section 244(b)(3)(C) also permits the Secretary of Homeland Security not to make a determination, which would automatically extend TPS for six-months or, at her discretion, up to 18 months.

In the cases of El Salvador, Honduras, Nicaragua, and Haiti, the temporary conditions that arose out of natural disasters and supported TPS designations have long ceased to exist. The Secretary of State assessed that conditions in all four countries no longer support TPS designations and recommended terminations with an effective date 18 months later to allow affected parties to arrange for an orderly exit and return. INA Section 244(d) (3) permits the Acting Secretary of Homeland Security to delay the effective date of termination to provide for an orderly transition period for beneficiaries. The Acting Secretary of Homeland Security took that approach when she terminated TPS for Sudan in September 2017 with an effective date in November 2018.

Recommendation

Terminate with an effective date of January 5, 2019 and engage Congress to pass a comprehensive immigration reform to include a merit based entry system. A 12 month delay in the effective termination date would allow for an orderly transition period for beneficiaries. Moreover, it would allow Congress time to act and to factor the fate of TPS beneficiaries into legislation. While many TPS beneficiaries may not qualify for legal status under a merit based system, Congress could craft alternatives to allow members of this group to remain. The Administration could signal its support for such a resolution provided Congress enact needed immigration reforms.

Extending TPS for any or all of the four countries would prolong the distortion between the temporary protections that TPS was designed to provide and current circumstances. It would also lengthen the period during which beneficiaries would deepen their connections to the United States, making any future resolution of their status in the United States more complicated. Redesignation is not a viable option because the challenges all four countries face are long-term political, security, and economic deficiencies and are unrelated to ongoing armed conflict or natural disasters.

ATTACHMENT

Tab A Temporary Protective Status: Countries, Beneficiaries, and Key Dates

Who?

Temporary Protective Status:
Designated Countries, Beneficiaries, and Key Dates

<u>Country</u>	<u>Number of Beneficiaries</u>	<u>Target Decision & Federal Register Notice Publication</u>	<u>Expiration Date</u>
Honduras (1999)	86,163	11/06/2017	01/05/2018
Nicaragua (1999)	5,349	11/06/2017	01/05/2018
El Salvador (2001)	263,282	11/06/2017	03/09/2018
Haiti (2010)	58,706	11/23/2017	01/22/2018
Syria (2012)	6,177	01/30/2018	03/31/2018
Nepal (2015)	12,967	04/25/2018	06/24/2018
Yemen (2015)	819	07/05/2018	09/03/2018
Somalia (1991)	497	07/19/2018	09/17/2018
S. Sudan (2011)	49	03/03/2019	05/02/2019

[The following text is extremely faint and largely illegible due to the quality of the scan. It appears to be a multi-paragraph document, possibly a letter or a report, with several lines of text visible across the center of the page.]

In closing, I urge you to grant an 18-month extension of the TPS designation for Haiti. Thank you for attention to this important matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ben Cardin", with a stylized flourish at the end.

Benjamin L. Cardin
Ranking Member

CC: The Honorable Rex Tillerson, Secretary of State, U.S. Department of State



THE UNITED STATES CONFERENCE OF MAYORS

1620 EYE STREET, NORTHWEST
WASHINGTON, D.C. 20006
TELEPHONE (202) 295-7330
FAX (202) 295-2352
TDD (202) 293-2445
URL: www.usmayors.org/uscm

November 10, 2017

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

The Honorable Rex W. Tillerson
Secretary of State
Washington, DC 20520

2017 NOV 13 AM 10:12
SCANNED/RECEIVED
BY EST/SEC

Dear Acting Secretary Duke and Secretary Tillerson:

We write on behalf of the nation's mayors to urge you to extend Temporary Protected Status for Haitians residing in the United States for 18 months before it expires on January 22, 2018. As local leaders, it is our responsibility to advocate for the health and safety of all our residents, including our immigrant residents. We are gravely concerned that failure to extend TPS for Haitians will expose an estimated 50,000 people to deportation to a country that cannot guarantee their safety, break up their families, and damage our communities.

The U.S. Conference of Mayors has had strong policy supporting Temporary Protected Status for Haitians residing in the United States since 2010. This June at our 85th Annual Meeting that policy was renewed with the passage of a resolution that urged the Secretary of Homeland Security to extend Temporary Protected Status (TPS) for Haitians living in the U.S. for 18 months until Haiti is sufficiently stable for their safe return.

Our families, communities, and economies would be harmed if TPS for Haitians is not renewed. Haitian TPS recipients are integral members of our neighborhoods, workplaces, religious communities, schools, and health care institutions. Haitians contribute to local economies, with 81 percent of Haitian TPS recipients participating in the labor force. Moreover, Haitian TPS recipients have deep ties to their communities. According to a recent paper by the Center for Migration Studies, Haitian TPS recipients have 27,000 U.S.-born children. Many TPS holders have grown up in the United States: 30 percent were under 15 when they arrived here.

A succession of natural disasters prevents Haiti from being able to reintegrate its 50,000 nationals with TPS or guarantee their safety. Haiti is currently experiencing prolonged displacement of its people, severe food shortages, and inadequate medical care. Haitians received TPS designation in 2010, following a catastrophic magnitude 7.0 earthquake. The earthquake destroyed the country's infrastructure, damaged or destroyed more than 200,000 homes, and displaced more than a million people. The country had not fully recovered in 2016 when it was hit by Hurricane Matthew, a Category 4 storm that destroyed crops and caused \$2.8 billion in damage. While this year's Hurricane Irma did not make landfall in Haiti, it further damaged Haitian agriculture, exacerbating the food insecurity that has been intractable after several of years of drought. In addition to these natural disasters, a cholera epidemic has ravaged Haiti since 2010, infecting more than 800,000 people to date and straining the country's already inadequate medical infrastructure.

We ask that you consider both current conditions in Haiti and the potential impact that not extending TPS for Haitians will have on their families, including their U.S. citizen children, and our communities. Forcing 50,000 Haitians to return to a country that is still recovering from a series of catastrophic disasters would expose them to malnutrition, illness, and extreme poverty, break up families, and destabilize our communities. It is essential that their Temporary Protected Status be extended.

Sincerely,

Mayor Mark W. Mitchell, Tempe, Arizona
 Mayor Mary Casillas Salas, Chula Vista, California
 Mayor Eric Garcetti, Los Angeles, California
 Mayor Darrell Steinberg, Sacramento, California
 Mayor Sam Liccardo, San Jose, California
 Mayor Ted Winterer, Santa Monica, California
 Mayor Steve Hogan, Aurora, Colorado
 Mayor Joe Ganim, Bridgeport, Connecticut
 Mayor Muriel Bowser, Washington, District of Columbia
 Mayor Joy Cooper, Hallandale Beach, Florida
 Mayor Tomas P. Regalado, Miami, Florida
 Mayor Carlos Gimenez, Miami-Dade County, Florida
 Mayor Wayne M. Messam, Miramar, Florida
 Mayor Buddy Dyer, Orlando, Florida
 Mayor Frank C. Ortis, Pembroke Pines, Florida
 Mayor Michael J. Ryan, Sunrise, Florida
 Mayor Rahm Emanuel, Chicago, Illinois
 Mayor Stephen H. Hagerty, Evanston, Illinois
 Mayor Greg Fischer, Louisville, Kentucky
 County Executive Ike Leggett, Montgomery County, Maryland
 Mayor Martin J. Walsh, Boston, Massachusetts
 Mayor Carlo DeMaria Jr., Everett, Massachusetts
 Mayor Setti D. Warren, Newton, Massachusetts
 Mayor Sylvester 'Sly' James Jr., Kansas City, Missouri
 Mayor Lester E. Taylor III, East Orange, New Jersey
 Mayor Byron W. Brown, Buffalo, New York
 Mayor Bill de Blasio, New York, New York
 Mayor Stephanie A. Miner, Syracuse, New York
 Mayor Michael P. Summers, Lakewood, Ohio
 Mayor David J. Berger, Lima, Ohio
 Mayor Paula Hicks-Hudson, Toledo, Ohio
 Mayor Jim Kenney, Philadelphia, Pennsylvania
 Mayor William Peduto, Pittsburgh, Pennsylvania
 Mayor Jorge O. Elorza, Providence, Rhode Island
 Mayor Megan Barry, Nashville, Tennessee
 Mayor Steve Adler, Austin, Texas
 Mayor Mike Rawlings, Dallas, Texas
 County Judge Clay Jenkins, Dallas County, Texas
 Mayor McKinley L. Price DDS, Newport News, Virginia
 Mayor Paul R. Soglin, Madison, Wisconsin
 Mayor Thomas 'Tom' Barrett, Milwaukee, Wisconsin

for 57,000 Hondurans for six months while she gathers more information. Duke did end TPS for 2,500 Nicaraguans, giving them until January 2019 to leave the United States or change their immigration status.

And therein lies hope for those Haitian immigrants — the majority of whom call Florida home — also awaiting a decision. Their current status expires in January; a decision from the DHS on granting them an extension is expected by Thanksgiving.

This time, rather than the pailty and callous six months given them by Kelly on May 22, Duke should continue down her own road and extend their status by 18 months — as was done repeatedly by the Obama administration in the wake of the devastating 2010 Haiti earthquake that killed some 300,000 people.

Why? Because precious little has changed in Haiti since Kelly's decision.

The hemisphere's poorest nation, where nearly 60 percent of the people live on less than \$2.42 a day, in many ways is still reeling from the 2010 earthquake and its aftermath. More than 46,000 quake victims still live in tents and caves due to a housing shortage, and the world's worst cholera epidemic ravages the population. And after last fall's Hurricane Matthew caused an estimated \$2.8 billion in damage, there is scant medical care and rampant food insecurity.

Common sense would tell us that introducing 58,000 people into a country struggling to take care of the 10.4 million already there would only compound the problem. Worse, if these immigrants are sent back, they could no longer send life-sustaining remittances to up to 500,000 of their loved ones in Haiti — about \$1.3 billion in 2015.

These Haitian immigrants have lived and labored here for years. They've attended school here. Many have children here — children who stand to lose both parents.

How is any of this better for the U.S. or Haiti?

Perhaps that is why since its inception, Haitians' TPS has consistently garnered bipartisan support: from Florida Sens. Marco Rubio and Bill Nelson to U.S. Reps. Ileana Ros-Lehtinen and Frederica Wilson to Gov. Rick Scott and the Palm Beach County Commission.

All have urged the White House to honor then-candidate Donald Trump's words to the Haitian community in September 2016: "Whether you vote for me or not, I really want to be your biggest champion."

Duke appears willing to risk the wrath of Kelly and Tom Bossert, the White House homeland security adviser, to do just that. On Nov. 6, as DHS prepared to extend TPS for Hondurans living in the U.S., both Kelly (from Asia) and Bossert called to pressure her to expel them, according to The Washington Post. With the extension of the Hondurans' residency permits, Kelly told her that the TPS decision "keeps

getting kicked down the road" and that the additional delay "prevents our wider strategic goal" on immigration.

An angry Duke obviously refused. The Washington Post reported. But the administration has sought to play down any apparent rift.

"As with many issues, there were a variety of views inside the administration on a policy. The acting secretary took those views and advice on the path forward for TPS and made her decision based on the law," DHS spokesman Jonathan Hoffman said in a statement. He added that it was also "perfectly normal for them to discuss the issue before she had reached a decision."

Duke should reach a similar decision on an 18-month TPS extension for Haitians. It is not only humane but right.

This time, rather than the pailty and dispassionate six months given them by Kelly on May 22, Duke should continue down her own road and extend their status by 18 months.

This time, rather than the pailty and dispassionate six months given them by Kelly on May 22, Duke should continue down her own road and extend their status by 18 months.

Bowser Announces Partnership To Help D.C. Employees, Families Become Citizens

By Rachel Chason

Washington Post, November 14, 2017

The District plans to help up to 2,000 green-card holders who work for the D.C. government, and their family members, apply for U.S. citizenship, Mayor Muriel E. Bowser (D) said Tuesday.

Speaking at a naturalization ceremony Tuesday morning, Bowser said the city is joining with the National Immigration Forum to provide information sessions, legal help, assistance finding language classes and coaching for the citizenship test. She said she hopes the program would inspire area businesses to make similar commitments to their employees.

The District is the eighth city to participate in the program, joining Los Angeles, Houston, Miami and others, said Jennie Murray, director of integration programs at the National Immigration Forum.

Green-card holders pay as much as \$2,000 for legal services to become citizens, meaning a family of four could save as much as \$8,000 in legal fees as a result of the District's participation in the program, Murray said.

The Bowser administration estimates there are about 20,000 District residents who are eligible for naturalization but have not started the application process to become citizens. Officials said they did not know how many of the city's 36,000 employees are green-card holders and would be eligible for the program.

"The privileges of citizenship are many, but so are the obligations," Bowser told 121 immigrants who were naturalized during a ceremony in U.S. District Court, where she announced the partnership. "Especially over the last year, every American has been challenged to define and preserve the values we hold dear," Bowser said, alluding to President Trump's election without mentioning the president by name. She also celebrated the District's anti-discrimination laws and said every resident, regardless of their citizenship status, should feel safe reporting crimes to D.C. police.

Days before Trump took office, Bowser was part of a group of leaders in heavily Democratic cities who launched legal-defense funds for undocumented immigrants to help them fight deportation. Unlike funds in Los Angeles, New York and Chicago, the District's \$500,000 fund does not cover representation for detained adults, which advocates say leaves some of the city's most vulnerable residents with slim chances of fighting deportation.

Bowser's office says the scope of the program is limited by Republicans in Congress, which has oversight over the District.

Some activists have criticized Bowser for not publicly condemning a September raid in which 14 undocumented residents were arrested as part of a crackdown by U.S. Immigration and Customs Enforcement in cities that oppose President Trump's immigration policies. Bowser's administration said it shared concerns about the raid and maintained its commitment to being a "sanctuary city."

Sapna Pandya, executive director of the immigrant rights group Many Languages One Voice, said the new program to help green-card holders become citizens will not affect the "vast majority of members of the District's immigrant workforce," many of whom are not living in the country legally.

"If the District really wants to help immigrant workers, it should be extended to folks who are here on TPS, through DACA or who might be undocumented," said Pandya, referring to residents who received Temporary Protected Status designation or qualified for the Obama-era Deferred Action for Childhood Arrivals program.

Fiona Athie, an anthropologist from Mexico and England who became a U.S. citizen Tuesday, said she did not know about the details of the partnership but supports policies that make it easier for residents to earn their citizenship.

"In my neighborhood in Columbia Heights, I have many neighbors who I know find the process scary and confusing," said Athie, 35, who moved to the District in 2013 and said she applied for citizenship so she could be able to engage in American politics.

A Disturbing Number Of Diversity Visas Have Been Given To People From Terror-sponsoring Countries

By Leah Barkoukis

Townhall, November 14, 2017

The Diversity Visa Lottery program has come under intense scrutiny since it was revealed that terror suspect Sayfullo Saipov, who killed eight people and injured 11 others last month in New York City, came to the United States this way. Now, however, we're getting disturbing new details about the program, including how many people have come to the U.S. from countries designated as state sponsors of terrorism.

According to the State Department, nearly 30,000 visas have been issued to people from Sudan (7,232), Syria (812), and Iran (20,739) since 2007—the only nations officially designated as "state sponsors of terrorism."

The program offers a lottery for up to 50,000 immigrant visas annually, "drawn from random selection among all entries to individuals who are from countries with low rates of immigration" to the U.S., according to U.S. Citizen and Immigration Services.

That random selection, according to the State Department, is through a computer-generated drawing for foreign nationals to apply for permanent residence, or a green card, in the U.S. each year.

The program originated as part of a bill introduced in 1990 by Senate Minority Leader Chuck Schumer, D-N.Y., then a member of the House. Schumer's measure to make a set number of visas available to "diversity immigrants" from certain countries was absorbed into a larger House immigration bill, which was sponsored by Schumer and 31 others, including several Republicans.

That bill was ultimately passed in a bipartisan vote, and was signed by President George H.W. Bush. (Fox News)

President Trump has been very vocal about ending the program, however.

"I am calling on Congress to TERMINATE the diversity visa lottery program that presents significant vulnerabilities to our national security," Trump tweeted earlier this month after the NYC terror attack on Halloween. "Congress must end chain migration so that we can have a system that is SECURITY BASED! We need to make AMERICA SAFE! #USA."

Trump and Attorney General Jeff Sessions are instead calling for a merit-based system.

"The terrorist came into our country through what is called the 'Diversity Visa Lottery Program,' a Chuck Schumer beauty. I want merit based," Trump tweeted. "We are fighting hard for Merit Based immigration, no more Democrat Lottery Systems. We must get MUCH tougher (and smarter)."

why not Haiti?

- 7/15
- not the same nat'l interest
- we've given warning



Jan 22, 2018

- 38,000 still in camps of (2 million original) (IDP)
- US Police MINUSTAH
- Feb 2017 new govt Pres. Moïse
5 yr term

- Hurricane Irma: food missing
2017 12,500 affected
- Hurricane Matthew affected 236,000
Oct 2016

World Bank
grant
pg 16

Haiti needs 50,000 housing

declining GDP growth
remittances: Haiti highly dependent

MINUSTAH (pg 10) will help stabilize

- Refugees (pg 16) 6000-8000

- DOS letter distinguish Haiti from others
how to mitigate negative report pg 2

Haiti has prepared

- need orderly return
commitment pg 4 of letter

→ ~~terminal~~
(0)(3)

- UNICE cannot absorb such
- notify CANAD?

**ACTING SECRETARY'S
BRIEFING BOOK**

Friday, November 17, 2017



USCIS PRE-DECISIONAL MEMO
Subj: Haiti's Designation for TPS
with Attachments A-B

A

TPS Legal Authority

B

USCIS RAIO Research Unit
Report on Conditions in Haiti

C

DOS Recommendations

PRE-DECISIONAL / DELIBERATIVE

U.S. Department of Homeland Security
 U.S. Citizenship and Immigration Services
 Office of the Director (BIS 2009)
 Washington, DC 20529-2009



U.S. Citizenship
 and Immigration
 Services

November 3, 2017

DECISION

MEMORANDUM FOR THE ACTING SECRETARY

FROM: L. Francis Cissna *2 F C*
 Director

SUBJECT: Haiti's Designation ~~ACTING~~ for Temporary Protected Status

Purpose: Haiti's existing designation for Temporary Protected Status (TPS) will expire on January 22, 2018. At least 60 days before the expiration of a TPS designation, the Secretary, after consultation with appropriate U.S. Government agencies, must review the conditions in a country designated for TPS to determine whether the conditions supporting the designation continue to be met. If the Secretary determines that the country no longer meets the statutory conditions for designation, she shall terminate the designation. If the Secretary does not determine, however, that the conditions for designation are no longer met, the TPS designation will be extended for 6 months, or in the Secretary's discretion, 12 or 18 months.¹

U.S. Citizenship and Immigration Services (USCIS) has completed a review of the conditions in Haiti and is presenting options and a recommendation for your consideration. In summary, USCIS assesses that Haiti has made significant progress in recovering from the 2010 earthquake and no longer continues to experience the extraordinary and temporary conditions that formed the basis of Haiti's designation and redesignation of TPS. Accordingly, USCIS recommends that you terminate Haiti's TPS designation.

As part of the review process, USCIS has consulted with the Department of State (DOS). Secretary Tillerson has assessed the conditions in Haiti and recommends that you terminate Haiti's TPS designation, with a delayed effective date of 18 months.

Haiti's TPS Designation: Following the devastating magnitude 7.0 earthquake that struck Haiti on January 12, 2010, former Secretary Napolitano designated Haiti for TPS on January 21, 2010, due to extraordinary and temporary conditions resulting from the earthquake.² The designation

¹ See Immigration and Nationality Act (INA) § 244(b)(3)(A-C), 8 U.S.C. § 1254a(b)(3)(A-C), *see also* Attachment A: Temporary Protected Status Legal Authority.

² See Designation of Haiti for Temporary Protected Status, 75 Fed. Reg. 3476 (Jan. 21, 2010).

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 2

was based on extraordinary and temporary conditions¹ rather than environmental disaster⁴ because the Haitian government had not requested designation for TPS—a statutory requirement for a designation based on an environmental disaster.

The reasons provided for Haiti's designation for TPS in the Federal Register at the time of the initial 2010 designation included the 7.0 magnitude earthquake that "destroyed most of the capital city;" the "substantial" death toll; that "one third of Haiti's population" was affected by the earthquake; that "concrete homes [had] collapsed and hospitals [were] overflowing with victims;" the destruction of many government buildings, including the Presidential Palace; the "severely affected" critical infrastructure, including electricity, water, telephone, roads, the airport, hospitals, and schools; scarcity of food, water, and fuel. At the time, the Secretary estimated that there would be between 100,000 and 200,000 nationals of Haiti who would be eligible for TPS.

The Secretary then extended the existing designation and redesignated Haiti for TPS on May 19, 2011.⁵ The reasons provided for Haiti's 2011 redesignation and extension of TPS in the Federal Register included that the 2010 earthquake remained responsible for more than one million Haitians left homeless or living in 1,300 internally displaced persons (IDP) camps that were "crowded and vulnerable to flooding, crime (including gender-based violence), and disease;" and the cholera outbreak. Additionally, the notice reiterated the high death toll and large number of persons affected by the 2010 earthquake, and the large number of buildings destroyed by the earthquake. At the time, the Secretary estimated that approximately 10,000 additional individuals would be eligible for TPS under the redesignation.

Haiti's designation has been extended four times since the 2011 redesignation. On May 24, 2017, former Secretary Kelly extended Haiti's TPS designation for a limited period of 6 months, with strong public messaging to the Haitian community to prepare for their return to their homeland.⁶

To be eligible for TPS under Haiti's designation, along with meeting the other eligibility requirements, individuals must have continuously resided in the United States since January 12, 2011, and have been continuously physically present in the United States since July 23, 2011. There are approximately 58,700 Haitian TPS beneficiaries.⁷ Of the 46,000 re-registration applications USCIS estimated it would receive for the recent six-month extension, USCIS has received approximately 40,000 to date. Based on these statistics, USCIS estimates the filing of approximately 40,000 re-registration applications if Haiti's designation for TPS is extended.

over

¹ INA § 244(b)(1)(C).

² INA § 244(b)(1)(B).

³ See Extension and Redesignation of Haiti for Temporary Protected Status, 76 Fed. Reg. 29,000 (May 19, 2011).

⁴ See Extension of the Designation of Haiti for Temporary Protected Status, 82 Fed. Reg. 23,830 (May 24, 2015).

⁵ This total represents all individuals who have been granted TPS since Haiti's designation in 2010, and who have not had their TPS withdrawn. Individuals may not re-register for a variety of reasons, including adjustment to another valid immigration status, departure from the United States, or no longer being eligible for TPS. As a result, the number of beneficiaries that USCIS expects to file for re-registration for TPS is lower than the total number of current beneficiaries.

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 3

Current Country Conditions: USCIS has conducted an in-depth review of conditions in Haiti. The full report, upon which USCIS' assessment and recommendation are based, can be found in Attachment B. In summary, Haiti has made significant progress in recovering from the 2010 earthquake, and no longer continues to meet the conditions for designation.

it's displaced persons

Haiti is the poorest country in the western hemisphere, but it had enormous problems long before, and unrelated to, the 2010 earthquake. While lingering effects of the 2010 earthquake remain in housing, infrastructure, damage to the economy, health, sanitation services, security risks, and emergency response capacity, Haiti has made significant progress in addressing issues specific to the earthquake. The number of IDPs from the earthquake has continued to decline. Since July 2010, 98% of the sites for IDPs have closed, and only approximately 38,000 of the estimated 2 million Haitians who lost their homes in the earthquake are still living in camps as of June 2017. For those who do remain in these camps, gender-based violence continues to be a serious concern, and a lack of personal security is pervasive, but neither is a post-earthquake phenomenon.

Additionally, the withdrawal of the United Nation's peacekeeping mission (MINUSTAH) has gone smoothly, reflecting increased confidence in Haiti's ability to conduct its own policing. It will be replaced by a successor operation (MINUJUSTH), a police-only force, that will focus on strengthening rule of law; supporting and further developing the National Police; and engaging in human rights monitoring, reporting, and analysis.

Haiti successfully completed its presidential election in February 2017. The 2010 earthquake destroyed key government infrastructure, including dozens of primary federal buildings. The Supreme Court of Justice is already reconstructed and operational and President Moïse is marshalling plans for Haiti's continued recovery and redevelopment. In April 2017, President Moïse announced a project to rebuild Haiti's National Palace, but reconstruction has not yet commenced.

Following the earthquake that struck Haiti in January 2010, U.S. Immigration and Customs Enforcement (ICE) ceased removing Haitians to Haiti. In 2011, ICE resumed the removal of Haitians on a limited basis – specifically, those who had final orders of removal and had been convicted of a serious crime. On September 22, 2016, former Secretary of Homeland Security, Jeh Johnson, announced that DHS would resume removals of Haitian nationals in accordance with ICE's existing enforcement priorities. Secretary Johnson's announcement included the following rationale for the resumption of removals: "[T]he situation in Haiti has improved sufficiently to permit the U.S. government to remove Haitian nationals on a more regular basis, consistent with the practice for nationals from other nations." In total, ICE has removed over 1,100 Haitians from fiscal years 2014-2016 (382 in 2014, 433 in 2015, and 310 in 2016).

Annual GDP growth following the 2010 earthquake has been erratic, but predominantly positive, ranging from as low as -5.5% (2010) to as high as 5.5% (2011), and averaging 1.9% over the period.

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 4

Year	GDP growth (annual %)
2005	1.805
2006	2.249
2007	3.343
2008	0.844
2009	3.083
2010	-5.498
2011	3.524
2012	2.885
2013	4.234
2014	2.797
2015	1.185

In May 2017, an estimated 5.8 million people (over 50 percent of the population) suffered from food insecurity, as compared to 3.2 million in September 2016. The deterioration in food security is the consequence of Hurricane Matthew's severe impact on southwest Haiti. Food insecurity is expected to be further impacted by Hurricane Irma, which struck Haiti in September. Haiti's weak public health system has grappled with a cholera epidemic that began in 2010 in the aftermath of the earthquake, but cholera is currently at its lowest level since the outbreak started. Currently, Haiti's food insecurity problems seem related to tropical storms and a drought rather than from lingering effects of the 2010 earthquake.

Options

Your options include the following actions:

1) *Extend Haiti's Designation for TPS*

As described above, USCIS has concluded that the specific extraordinary and temporary conditions stemming from the 2010 earthquake which caused Haiti to be initially designated for TPS and to be redesignated in 2011 have been largely ameliorated. Haitian nationals may safely return to Haiti as evidenced by DHS's decision to resume removals to Haiti in 2016. Additionally, it is not in the national interest to extend a TPS designation when the specific extraordinary and temporary conditions giving rise to a TPS designation no longer exist. Haiti was initially designated for TPS in 2010 as a result of the damage caused by a major earthquake. The review of conditions in Haiti indicates that significant progress has been made in reconstruction and recovery efforts and Haiti's current challenges cannot be directly tied to the 2010 earthquake.

Although USCIS assesses otherwise, under the TPS statute, if you determine that those extraordinary and temporary conditions caused by the 2010 earthquake and the 2011 redesignation continue to exist, you must extend the TPS designation for an additional period of 6, 12, or 18 months. Should the decision be made to extend based upon these subsequent challenges hindering recovery, from a USCIS operational perspective, extension periods of less than 18 months are

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status
Page 5

challenging given the significant workload and timeframes involved in receiving and adjudicating re-registration applications and issuing new employment authorization documents.

2) *Terminate Haiti's Designation for TPS*

If you determine that Haiti no longer continues to meet the statutory requirements for its TPS designation, you must terminate TPS for Haiti. Upon the termination of TPS, former beneficiaries without another immigration status or authorization to remain would no longer have permission to work and remain in the United States. They may, however, apply for any other immigration benefits for which they may be otherwise eligible (e.g., asylum, lawful permanent residence, or nonimmigrant status). As explained above, USCIS assesses that termination is warranted because extraordinary and temporary conditions preventing Haitians from returning in safety no longer exist. Any current issues in Haiti are unrelated to the 2010 earthquake.

If you decide to terminate Haiti's designation, you may determine the appropriate effective date of the termination. In doing so, you have the option to provide for an orderly transition period (e.g., 6, 12, or 18 months) after which TPS documentation will end. Although former Secretary Kelly put current Haitian TPS beneficiaries on notice that the status could be subsequently terminated when he authorized the 6-month extension, a delay of the effective date would provide those beneficiaries without any other immigration status a reasonable amount of time following the announcement of termination of the designation to plan and prepare for their departure from the United States. Note that the effective date of termination may not be earlier than 60 days after the date the *Federal Register* notice announcing the termination is published or, if later, the expiration of the most recent previous extension.

3) *Redesignate Haiti for TPS*

In addition to making a decision to terminate or extend Haiti's TPS designation, you could also consider redesignating the country for TPS. A decision to redesignate a country for TPS, unlike termination or extension, is entirely at your discretion; if the statutory conditions are met, you may, but do not have to, redesignate a country for TPS. The most significant recent event that could be considered in support of a redesignation is the destruction caused by Hurricane Matthew in October of 2016, but USCIS is not recommending redesignating Haiti for TPS on that basis as any extraordinary and temporary conditions that may have resulted from that event do not currently prevent Haitian nationals from returning to their country in safety.

4) *No Decision/Automatic Extension*

Upon review of the assessment, you could also choose not to make a determination about whether Haiti's TPS designation should be extended or terminated at this time. If you do not make a decision at least 60 days prior to its expiration date, by statute, its period of designation will be automatically extended for 6 additional months (or, in your discretion, a period of 12 or 18 months). You could affirmatively choose not to make a decision about whether the conditions supporting Haiti's designation continue to be met and announce the automatic extension of 6 (or

PRE-DECISIONAL / DELIBERATIVE

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status

Page 6

supporting Haiti's designation continue to be met and announce the automatic extension of 6 (or 12 or 18) months, noting that the Secretary will then review conditions prior to the expiration of that extension.

Timeliness: You are required to provide timely notice of whether existing TPS designations will be extended or terminated through publication in the *Federal Register*.⁸ Your earliest decision will facilitate publication of notice in the *Federal Register* sufficiently in advance of the January 22, 2018 expiration of Haiti's designation, providing predictability and clarity to Haitian nationals with TPS and their employers. By statute, if you do not make a decision at least 60 days before the expiration of the current designation (i.e., by November 23, 2017), then Haiti's designation will automatically be extended for a minimum of 6 months.⁹

⁸ See INA § 244(b)(3)(A).

⁹ See INA § 244(b)(3)(A), (C).

PRE-DECISIONAL / DELIBERATIVE

Haiti's Designation for Temporary Protected Status
Page 7

Recommendation: Upon consideration of all of the factors, USCIS recommends that you terminate Haiti's existing designation for TPS based on the extraordinary and temporary conditions resulting from or following the 2010 earthquake. If you decide to terminate, USCIS recommends terminating with an effective date delayed by 6, 12, or 18 months to permit an orderly transition.

Decision:

1. Extend: Extend Haiti's existing designation for (circle one):

6 months

12 months

18 months

Approve/date _____

2. Terminate: Terminate Haiti's designation with an orderly transition period of (circle one or specify period):

6 months

12 months

18 months

Other _____

Approve/date _____

3. Redesignate: Extend Haiti's existing designation and simultaneously redesignate Haiti.

Specify duration of redesignation (6-18 months): _____

Specify continuous residence date for eligibility under redesignation (currently January 12, 2013): _____

Approve/date _____

4. No Decision/Automatic Extension: Delay a decision on Haiti's designation, resulting in an extension of (circle one):

6 months

12 months

18 months

Approve/date _____

Attachments:

Attachment A: Temporary Protected Status Legal Authority

Attachment B: USCIS RAIO Research Unit Report on Conditions in Haiti

Attachment C: DOS Recommendations

