

Deputy Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 28, 2014

The Honorable Frederica S. Wilson
U.S. House of Representatives
Washington, DC 20515

Dear Representative Wilson:

Thank you for your letter to President Obama requesting the creation of a family reunification parole program and supporting long-term economic growth in Haiti. The White House has asked the Department of Homeland Security (DHS) to respond to you.

In the wake of the 2010 earthquake in Haiti, the United States took several urgent steps to increase the number of Haitians who could legally immigrate to or remain in the United States. Former Secretary Napolitano designated Haiti for temporary protected status (TPS) in 2010 and re-designated the country in 2011, permitting eligible Haitians who have been continuously residing in the United States since January 12, 2011 to remain here temporarily with work authorization. *See* 75 Fed. Reg. 3476 (Jan. 21, 2010); 76 Fed. Reg. 29,000 (May 19, 2011). Following consultations with other federal agencies, Secretary Johnson announced in March that current conditions in Haiti supported an extension of the designation of Haiti for TPS for an additional 18 months effective July 23, 2014 through January 22, 2016. The extension allows currently eligible TPS beneficiaries to retain their TPS through January 22, 2016. *See* 79 Fed. Reg. 11808 (Mar. 3, 2014). The March 2014 announcement provided a 60-day re-registration period, through May 2, 2014, during which period TPS beneficiaries were required to re-register. Instructions were also provided on how a TPS beneficiary could request a new Employment Authorization Document. Secretary Johnson recently extended the Haiti TPS re-registration period through July 22, 2014 in order to maximize the re-registration opportunities available to Haiti TPS beneficiaries. *See* 79 Fed. Reg. 25141 (May 2, 2014).

In addition, former Secretary Napolitano determined, after consultation with the State Department, that Haiti met the standards to be included among countries whose nationals are eligible for classification as H-2A agricultural and H-2B nonagricultural workers. As a result, effective January 18, 2012, nationals of Haiti have been eligible to participate in the H-2A and H-2B programs. *See* 77 Fed. Reg. 2558 (Jan. 18, 2012).

With respect to your request for the establishment of a family reunification parole program, parole is a discretionary action used sparingly on a case-by-case basis to permit an applicant for admission who is otherwise inadmissible to enter the United States for a temporary

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period for urgent humanitarian reasons or significant public benefit. When handling humanitarian parole requests, USCIS examines whether there are urgent humanitarian circumstances and whether parole is otherwise warranted as a matter of discretion. If the situation is of sufficient urgency, such as a life-threatening medical condition, USCIS may grant humanitarian parole even though a family-based immigrant visa petition has been filed or approved for the individual but a visa number is not yet available.

We have taken your request for the creation of a family reunification parole program for Haitians under advisement and are actively reviewing this proposal. We appreciate your interest in this matter and look forward to continuing to work with you to address how we can best serve the Haitian community in light of the suffering Haitians have endured in the aftermath of the devastating 2010 earthquake.

Thank you again for your letter and your interest in this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Alejandro N. Mayorkas". The signature is written in a cursive style with a large initial "A".

Alejandro N. Mayorkas