



April 15, 2010

Director Alejandro Mayorkas
United States Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20001

Dear Director Mayorkas,

On behalf of the Catholic Legal Immigration Network, Inc. (CLINIC) and the undersigned agencies, we are writing to urge you to take additional steps to help the victims of the January 12, 2010 earthquake in Haiti. We were heartened to see how swiftly the announcements came out regarding Temporary Protected Status (TPS) and humanitarian parole for certain orphans, but in the two months following the earthquake we have seen many others who have not been able to avail themselves of any immigration relief because none is available to them, or because the cost is prohibitive to them.

Expedited consular processing and humanitarian parole should be provided in order to unify families

Our network reports that many Haitians who are now U.S. citizens residing in the United States have immediate relative petitions pending for their spouses and minor children in Haiti. These petitions should be expedited and immigrant visas be granted immediately.

In cases where U.S. citizens or permanent residents have approved petitions and current priority dates for their families waiting in Haiti, the documentation should be expedited to bring these family members to the United States as quickly as possible.

Where petitions have been approved and priority dates are not yet current, especially for the minor children and spouses of permanent residents, beneficiaries should be granted humanitarian parole to wait in the United States until they are able to adjust their status.

Individuals who were granted visitor status must be able to gain status that will permit them to work and get social services

Haitian parents of U.S. citizen children must be permitted to remain with their minor children in the United States in a long-term capacity. Many of these individuals have been granted visitor's status to remain in the United States for up to six months. Parents must not be forced to leave their children when their status expires. They should be permitted to remain and to avail themselves and their families of necessary social services to mitigate the effects of the tragedy they have endured. This is not an option available to those admitted in visitor's status and is causing families to live in extreme poverty, even here in the U.S.

This real case example is illustrative of the issues facing many families that approach our affiliates every day:

A mother of three, widowed in the earthquake, came to the United States with her children via military transport during the U.S citizen repatriation process. The youngest child is a U.S. citizen. The mother and two oldest children were admitted in B-2 visitor status, for a six month period of authorized stay. They are staying with friends; altogether there are 13 people living in the household. There is not enough food or clothing for all. The friend and head of the household is impatient because she is also a single mother with a handicapped child. She barely makes enough money to support her own family. She has asked her friends to leave, but they have nowhere to go. With B-2 status the mother cannot work and the family is ineligible for benefits. Without the generosity of the host family, this mother and her children would be homeless.

In addition, USCIS should grant TPS to derivative family members of eligible applicants. This would guarantee family unity, particularly for families of mixed nationality. On the day of the earthquake, many such families of mixed nationality (ie. one Haitian parent and one Dominican parent with their Haitian children) were in the United States in lawful status. The current TPS requirements would force the non-Haitian parent to make the difficult decision to either leave their families behind in the United States or remain here in violation of their status. Allowing spouses or children of TPS applicants to gain derivative TPS would keep families whole and allow parents to work in order to care for their children.

Fee waiver applications should be streamlined and the required evidence reconsidered

To date, the number of TPS applications has been lower than expected, and the number of fee waiver applications has been even lower. Our affiliates have seen many potential applicants deterred from applying for relief because of the prohibitively high fees and the very complicated fee waiver process. While we continue our work to educate potential applicants on how to properly prepare and document their applications, we also urge you to make the fee waiver application simpler to properly complete and sufficiently document.

CLINIC and the undersigned organizations urge that the Department of Homeland Security consider these additional forms of relief for individuals and families affected by the earthquake in Haiti, so that the needs of the greatest number of individuals may be met and that families may remain together throughout this difficult time.

We welcome the opportunity to further discuss these important issues. Please contact me at 202-756-5500 or modom@cliniclegal.org if you have any questions or concerns about our recommendations or to set up a time to discuss them. You may also contact Allison Posner, CLINIC's Director of Advocacy at 202-635-2567 or aposner@cliniclegal.org.

Sincerely,



Maria M. Odom
Executive Director

Signatories

Catholic Agency for Migration and Refugee Services, Garden City, Kansas
Catholic Charities Community Services of the Archdiocese of New York
Catholic Charities Legal Services of Miami
Catholic Charities of Central Florida
Catholic Charities of Dallas, Inc.
Catholic Charities of East Tennessee
Catholic Charities of Houston, TX, St. Francis Cabrini Center for Immigrant Legal Assistance
Catholic Charities of Jacksonville, FL
Catholic Charities of Pensacola, FL
Catholic Charities of the Archdiocese of Boston
Catholic Charities of the Archdiocese of Milwaukee, Inc.
Catholic Charities of the Diocese of Allentown, PA
Catholic Charities of the Diocese of Baton Rouge, Louisiana
Catholic Charities of the Diocese of Jackson, Mississippi
Catholic Charities of the East Bay, Oakland, California
Catholic Charities of West Palm Beach, FL
Catholic Community Services of Western Washington, Family Immigration Services
Catholic Diocese of Saginaw
Catholic Immigration Law Project, St. Louis, Missouri
Catholic Social Services of the Archdiocese of Philadelphia
Diocese of Little Rock
International House, Charlotte, North Carolina
Migration and Refugee Services, The Roman Catholic Diocese of Lafayette, Louisiana
Sister Juana Mendez, Sister of Charity of Cincinnati, Diocese of Covington