



January 15, 2024

The Honorable Alejandro Mayorkas  
Secretary, U.S. Department of Homeland Security  
2707 Martin Luther King Jr. Ave, SE  
Washington, D.C. 20528

Dear Secretary Mayorkas:

As elected representatives of jurisdictions that proudly embrace and benefit from the American value of welcoming immigrants, we write to request your urgent assistance to ensure the United States continues providing safe haven to those around the world who need it.

Hundreds of Haitians settled in Maryland over the last 14 months after being admitted into the U.S. to pursue asylum. However, many if not all Haitian newcomers were placed into removal proceedings almost immediately, some within days of being paroled into the U.S. Many are facing proceedings as soon as mid-January that could result in their immediate removal, despite the armed conflicts in Haiti worsening. This sequence of events is highly unusual, destabilizing to our communities and impacted families, and in conflict with the priority enforcement framework established by the Mayorkas Memo of 2021<sup>1</sup>.

Additionally, the inability of hundreds of newly arrived residents to obtain or renew work permits in a timely manner, despite arriving here legally and desiring to be self-sufficient, is putting a tremendous economic strain on our resources as we strive to ensure their housing, food, and other basic necessities.

Given the heavy impact of U.S. immigration policy on our communities, we respectfully request that you take the following actions:

1. **Expand eligibility for TPS and provide Deferred Enforced Departure (D.E.D.) for Haitian Nationals to include entry dates up to current (January 1, 2024 or later):** A country may be designated for TPS when it is experiencing extraordinary and temporary conditions, including armed conflicts. The conditions which caused the U.S. Government to re-designate Haiti for TPS on January 26, 2023<sup>2</sup> continue to persist and have in fact worsened to the point where the UN Security Council and member nations are poised to intervene imminently – a rare, extreme and historic action<sup>3</sup>. The U.S. Embassy in Haiti has evacuated its employees and advised American citizens to leave Haiti<sup>4</sup>, and as recently as December 25, 2023, the U.S. Embassy was on lockdown and shelter-in-place due to gunfire<sup>5</sup>. Meanwhile, our continued deportation flights to an airport and country

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<sup>1</sup> [Guidelines for the Enforcement of Civil Immigration Law \(ice.gov\)](https://www.ice.dhs.gov/guidelines-for-the-enforcement-of-civil-immigration-law)

<sup>2</sup> [Temporary Protected Status Designated Country: Haiti | USCIS](https://www.uscis.gov/temporary-protected-status-designated-country-haiti)

<sup>3</sup> [Security Council authorizes 'historic' support mission in Haiti | UN News](https://www.un.org/press/en/2023/sc10719.docstxt.html)

<sup>4</sup> [Haiti Travel Advisory \(state.gov\)](https://travel.state.gov/haiti)

<sup>5</sup> [US Embassy in Haiti on lockdown as gunfire erupts in streets outside \(msn.com\)](https://www.msn.com/en-us/news/world/us-embassy-in-haiti-on-lockdown-as-gunfire-erupts-in-streets-outside)

lacking government control contribute to the chaos.

Last January, you issued an order to re-designate TPS status for Haitian citizens through August 3, 2024; however this only applied to those Haitian citizens who can clearly demonstrate continuous residence in the U.S. dating back to November 6, 2022.

Unfortunately, since then we have seen the influx of hundreds of Haitian citizens into our communities who have newly arrived to the U.S. fleeing the violence in Haiti, and none of these individuals, under your previous order, are eligible for TPS. Therefore, we ask that you issue an addendum to your previous order to allow Haitian citizens who arrived as of January 1, 2024, to apply for TPS status to protect them from dangerous conditions and allow them to lawfully remain in the U.S. during this period of extreme strife and violence in Haiti.

2. **Urge/Direct OPLA/ICE to agree to exercise Prosecutorial Discretion to terminate removal proceedings pursuant to the authority and direction in the Mayorkas Memo.** Many Haitian newcomers are facing imminent removal proceedings. The Mayorkas Memo provides that the Office of the Principal Legal Advisor (OPLA) may agree to or move to terminate removal proceedings for immigrants that are not enforcement priorities. Enforcement priorities include those immigrants who are considered threats to national security, public safety or border security. These Haitian newcomers are not enforcement priorities and thus fit the criteria for termination of removal proceedings pursuant to the Mayorkas Memo, as they did not enter the U.S. unlawfully and have no criminal records. ICE has been exercising its Prosecutorial Discretion (PD) to terminate removal proceedings for many other immigrants, even those from countries that are not experiencing emergencies like Haiti's. Haitians should also be benefiting from the Mayorkas Memo PD, yet initial pro se PD motions to OPLA by this group have been unsuccessful. CARECEN DC, the Haitian Bridge Alliance and others are re-submitting these motions, and ICE should be encouraged/directed to agree to them as these cases qualify for termination pursuant to the Mayorkas Memo.
3. **DHS should exercise its discretion to renew and extend humanitarian parole periods granted previously to Haitians to allow beneficiaries to apply for or/and extend their work permits.** DHS has the authority to renew these paroles for humanitarian reasons, which would allow migrants to seek or renew work permits while they are in the U.S. Work permits would help relieve the substantial economic burden currently falling on local governments, and allow the migrants to be self-sufficient, contribute to the labor force, and pay taxes without becoming victims of labor exploitation and trafficking in the cash workforce market.

Thank you for your partnership and your timely attention to this matter.

Sincerely,

Congressman Glenn Ivey  
U.S. House of Representatives - District 4

Congressman David Trone  
U.S. House of Representatives - District 6

Senator Craig Zucker  
Maryland State Senate - District 14

Senator Ben Kramer  
Maryland State Senate - District 19

Senator Will C. Smith, Jr.  
Maryland State Senate - District 20

Senator Joanne Benson  
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Maryland House of Delegates - District 14

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Maryland House of Delegates - District 18

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Maryland House of Delegates - District 18

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Maryland House of Delegates - District 20

Delegate David Moon  
Maryland House of Delegates - District 20

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Maryland House of Delegates - District 21

Delegate Ashanti Martinez  
Maryland House of Delegates - District 22

Delegate Adrian Boafo  
Maryland House of Delegates - District 23

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Maryland House of Delegates - District 39

Delegate Lesley Lopez  
Maryland House of Delegates - District 39

Delegate Gabriel Acevero  
Maryland House of Delegates - District 39

Delegate Robbyn Lewis  
Maryland House of Delegates - District 46

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Montgomery County Executive

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Salisbury City Council - District 2

CC:

Tom Perez, Senior Advisor to the President; Director, Office of Intergovernmental Affairs