

Dear
Balart WF 1165349

MARIO DIAZ-BALART
26TH DISTRICT, FLORIDA
APPROPRIATIONS COMMITTEE
SUBCOMMITTEES
TRANSPORTATION, HOUSING AND URBAN
DEVELOPMENT, AND RELATED AGENCIES
CHAIRMAN
STATE, FOREIGN OPERATIONS,
AND RELATED PROGRAMS
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Congress of the United States
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June 26, 2018

The Honorable Kirstjen M. Nielsen
Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, D.C. 20528

Dear Madam Secretary,

I write to express my profound concern regarding the pending expiration of the Employment Authorization Document (EAD) for Haitian nationals in the United States through Temporary Protect Status (TPS) and to request, within all applicable rules and regulations, that you expeditiously assess the urgent need to prevent EAD from expiring.

Over the next few weeks, Haitians will need to present new employment cards to continue their lawful work in the United States. This EAD is provided with the I-797 Notice of Action. However, if the EAD is permitted to expire prior to administrative action before July 21, 2018, many thousands of Haitians will no longer be permitted to continue gainful, lawful employment. I strongly opposed the decision to terminate TPS for Haitian nationals in the United States, a status that was authorized following severe earthquakes and storms which led to deaths and serious injuries, disease outbreaks, and severe humanitarian need for the necessities of clean water, food, shelter and medicine. However, the administration's announced termination of TPS for Haitian nationals is not set to expire until July 22, 2019. EAD typically continues without delay for as long as TPS continues.

As a Member of Congress with approximately thousands of Haitians in my district, I am concerned that allowing unnecessary and detrimental expiration of EAD will have disastrous consequences for many Haitian nationals, their families, and the many small businesses that depend on them within our community. Accordingly, I respectfully request that you work to address this situation without further delay.

Sincerely,



Mario Diaz-Balart
Member of Congress

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SCANNED/RECEIVED
BY ESES/SEC



U.S. Citizenship
and Immigration
Services

August 20, 2018

The Honorable Mario Diaz-Balart
U.S. House of Representatives
Washington, DC 20515

Dear Representative Diaz-Balart:

Thank you for your June 26, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designation for Haiti. U.S. Citizenship and Immigration Services (USCIS) is the Department of Homeland Security (DHS) Component principally responsible for advising the Secretary on TPS issues and implementing the program.

After former Acting Secretary of Homeland Security Elaine Duke announced the termination of Haiti's TPS designation and delayed the effective date by 18 months to July 22, 2019, DHS published a notice in the *Federal Register* at 83 FR 2648 announcing that Haitian TPS beneficiaries who wish to maintain their TPS and work authorization through July 22, 2019, should re-register for TPS during the designated 60 day re-registration period (January 18, 2018 through March 19, 2018). The January 18, 2018 Notice also stated that USCIS will issue new employment authorization documents (EAD) with a July 22, 2019 expiration date to eligible Haitian TPS beneficiaries who timely re-register and apply for EADs.

In addition, the notice indicated that in order to avoid a lapse in the ability of TPS beneficiaries to demonstrate their work authorization to employers, USCIS automatically extended the validity of EADs issued under Haiti's TPS extension through July 21, 2018. The automatic extension covered EADs with an expiration date of January 22, 2018, as well as EADs with an expiration date of July 22, 2017, for individuals who applied for a new EAD during the designated 60-day re-registration period (May 24, 2017 through July 24, 2017), but had not yet received their new EADs. This action permitted TPS beneficiaries to continue using these automatically extended EADs through July 21, 2018.

On July 20, 2018, USCIS automatically extended the validity of certain EADs issued under TPS for Haiti through January 17, 2019, to avoid any gaps in work authorization documentation. TPS beneficiaries who applied for a new EAD during one of the last re-registration periods, and have EADs with an expiration date of January 22, 2018, are covered by this extension. Additionally, TPS beneficiaries who applied for a new EAD on or after May 24, 2017, and have EADs with an expiration date of July 22, 2017, are also covered by this extension. Because of your interest in this important issue, USCIS' Office of Legislative and

Intergovernmental Affairs reached out to your office by email to share this information with both your Chief of Staff Cesar Gonzalez and your Miami District Director Miguel Otero, as soon as the decisions were finalized.

USCIS mailed a Notice of Continued Evidence of Work Authorization to TPS Haiti beneficiaries who have pending EAD applications. This notice provides additional evidence of this automatic EAD extension through January 17, 2019.

USCIS is committed to processing EAD applications in the most expedient manner possible. Applicants seeking information about the status of their individual cases can check Case Status Online at <https://egov.uscis.gov/casestatus/landing.do> or call the USCIS National Contact Center at 1-800-375-5283 (TTY 1-800-767-1833).

Additional information on the Secretary's decision and the process for current Haitian TPS beneficiaries to re-register for TPS and renew their work authorization until TPS for Haiti terminates on July 22, 2019, can be found on the USCIS website at: www.uscis.gov/tps.

Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative and Intergovernmental Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in blue ink, appearing to read "LFC", is written above the printed name.

L. Francis Cissna
Director