



# FJNA

## FAIR JUSTICE NOW FOR ALL

### JUSTICE EQUITABLE POUR TOUS MAINTENANT (JETM)

BLESSED ARE THOSE WHO ARE HUNGRY AND THIRSTY FOR RIGHTEOUSNESS FOR THEY SHALL BE FILLED

**RECEIVED**

By ESEC at 9:32 am, May 26, 2022

**FJNA/2022-2**

Mr. Antony J. BLINKEN  
US Secretary Of State (USSOS)  
State Department  
2201 C St NW  
Washington, DC 20520

AND

Mr. Alejandro N. Mayorkas  
Secretary of Homeland and Security  
Office of the Secretary (OSEC)  
Washington, DC 20528

Honorable Secretary Of State,  
Honorable Secretary of Homeland Security,

The Executive Board of the Fair Justice Now for All, Inc. (FJNA) congratulates you for your hard work as Head of the US Department of Homeland Security. We want to bring to your attention a discriminatory situation that is taking place during the implementation and the execution of the Executive Order taken by the Biden-Harris Administration to designate and include Haiti in the list of countries eligible to participate in the H-2A and H-2B Nonimmigrant Worker Programs. This is just a follow up letter, as an informative letter has already been sent via E-mail, on February 21, 2022, to the Secretary of the Department of Labor, the Honorable Martin J. Walsh, resulting in no answer and no improvement of the situation.

Fair Justice Now for All, Inc. (FJNA) is a young International Organization aiming at protecting and defending the Rights of the Voiceless, the Powerless, and the Victims of Injustice. From January on, FJNA has received multiple complaints in its Office and it has been verified that most of the companies posting their vacancies on the DOL website are really biased against Haitians: Some companies state they are simply recruiting people from specific countries such as Mexico, South Africa etc. Others change or shut down the hiring conversation once a Haitian identity with intent to apply with them was revealed. Worse of them all,

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stopinjusticenow.com



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Others squarely state they are not hiring Haitians. (Proofs to be released upon request).

When on April 1, 2022 Your offices joined together to announce the extension of the number of H-2B Visas to thirty three thousand (33000), with eleven thousand five hundred (11,500) being assigned to Haiti, Honduras, Guatemala, and Salvador, the people of Haiti were hoping that this unfair practice would stop and they would have a chance to submit an application for a Job and get accepted by an Employer. Unfortunately, one month later, they reported, almost no H2B jobs are yet to be posted on the DOL website; they still have no access to recruiters; almost no Haitian workers are known to have been recruited yet while the very few vacancies posted lately under the H2B jobs will start in just about a month, in June 2022 to end mostly in September 2022.

WHEREFORE, the Fair Justice Now for All, Inc. (FJNA) is kindly requesting your Office to take a timely Corrective Action to make the process of the H-2A and H-2B Nonimmigrant Worker Programs more transparent and fairly accessible to the Haitian workers this end of season and the upcoming ones.

Sincerely yours!

Florida, Friday, May 6, 2022

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*Asf.*

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2/2

CC: Secretary Of Labor,  
Honorable Martin J. Walsh



U.S. Citizenship  
and Immigration  
Services

July 12, 2022

Wilouse Sanon Charles  
Clerk Directrice  
10082 Boynton Place Circle  
Boynton Beach, FL 33437

Dear Mr. Charles:

Thank you for your May 6, 2022 letter to the U.S. Department of Homeland Security (DHS). Secretary Mayorkas asked that I respond on his behalf.

As mentioned in your letter, DHS and the U.S. Department of Labor (DOL) jointly issued a recent temporary final rule (TFR) that makes available an additional 35,000 H-2B nonimmigrant visas beyond the normal statutory limit, including 11,500 visas that are reserved for nationals of El Salvador, Guatemala, Honduras, and Haiti. DHS and DOL included a similar set aside for nationals of those countries in an earlier TFR in January 2022. Additionally, as DHS emphasized in its November 2021 Federal Register notice, adding Haiti to the list of countries eligible to participate in the H-2A and H-2B programs, supports its sustainable development and stability, which is vital to the interests of the United States as a neighbor and close partner to Haiti. Moreover, as also stated in the November 2021 Federal Register notice, adding Haiti back to these programs also provides Haitians the opportunity to contribute to the U.S. economy as well as apply their earnings and technical experience to advance Haiti's reconstruction and stabilization.

You expressed concern that Haitian workers are experiencing discrimination in the recruitment for workers in the H-2A and the H-2B temporary nonimmigrant visa programs. While issues of recruitment discrimination fall within the purview of DOL and the U.S. Department of Justice (DOJ), Civil Division, Immigrant and Employee Rights Section (IER), we appreciate you raising this important issue, and we stand ready to work with DOL and DOJ IER in any way they deem appropriate.

Thank you again for your letter and interest in this important issue. Please share a copy of this response with the cosigners of your letter. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "L. M. J. J. J.", with a long horizontal flourish extending to the right.



Wilouse Sanon Charles  
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Ur M. Jaddou  
Director