



REGIONAL BISHOP OF BROOKLYN  
DIOCESE OF BROOKLYN

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April 20, 2009

Distinguished members of the City Council of NY:

I am respectfully asking you to urge President Obama to designate the country of Haiti for TPS that is Temporary Protected Status for a period of eighteen months with specifications to stop all deportations to Haiti and also to grant work-permits and a Social Security number to all Haitians presently residing here without proper documentation.

This request is dictated by humanitarian considerations.

Haiti has not yet recovered from the four devastating hurricanes that hit it within a period of five weeks last summer. Relief aid has been provided to the populations that had lost their crops and housing but little has been made in terms of rebuilding the economy. At the moment the greatest investments in Haiti come from Haitian residents in the US who send remittances to assist their relatives. If that is also cut, that country that lies in the outskirts of the US and has played an important role in our history will be left to perish.

Important investments need to be made in the areas of reforestation, road construction, agricultural and industrial business as well as education. An impoverished government cannot afford massive programs without important international assistance. Besides these programs will have no short-time results.

The deportation of thousands of Haitians from here would constitute a humanitarian tragedy of great proportion that can be avoided by the granting of TPS to the industrious Haitian citizens who have sought refuge here without proper documentation.

Honorable Council women and men, your active and intense advocacy on behalf of the Haitians will be greatly appreciated by all right minded citizens of your constituencies.

Imploring the Lord's Blessings upon all of you, I am and remain sincerely yours.

Rev. Guy Sansaricq  
Auxiliary Bishop of the R.C. Diocese of Brooklyn  
Regional Bishop of Brooklyn.

**Statement of**  
**Haitian-Americans United for Progress**

Hearing on Res. No. 1595  
Resolution Supporting H.R. 522 which urges the US government to  
designate nationals of Haiti eligible for Temporary Protected Status  
under section 244 of the Immigration and Nationality Act

**Council of the City of New York**  
**Committee on Immigration**

April 20, 2009

My name is Jocelyn McCalla and I want to begin by thanking the Committee on Immigration for extending an invitation to testify to Haitian-Americans United for Progress (HAUP). Temporary Protected Status (TPS) is an important measure that has long been denied Haitian nationals in the United States although they have clearly qualified since the measure was adopted by the US government. I will go more in depth on this matter but allow me to first say a few words about my organization, HAUP.

HAUP stands uniquely in the NY City area as the oldest community-based organization that emerged 34 years ago to help resettle and integrate Haitian asylum-seekers as well as advocate on their behalf. Amongst our founders, we proudly include Bishop Guy Sansaricq, a refugee from the Duvalier dictatorship which caused thousands of Haitians to immigrate to the United States and make New York City their home. We like to believe that it is thanks to the efforts deployed by HAUP and other Haitian CBOs and advocacy organizations that today many Haitian-Americans can be found at the helm of some of the leading private and public sector institutions that make NY such a great city.

HAUP is located in Cambria Heights which is home to the largest Haitian-American enclave outside of Brooklyn. While HAUP began as a volunteer-based organization focused initially on responding to the needs of Haitian immigrants and refugees, it has since expanded and offers its services to anyone who qualifies. We serve annually some 15,000 people. We are thankful to the City and the State of New York which fund many of our programs. We are most thankful for the strong support of Councilman Leroy Comrie and the good relations that we have had with many of the members of the Council, and in particular members of this Committee.

I have long been involved with promoting Haitians' rights under US and international law. As the Executive Director of the National Coalition for Haitian Rights (NCHR) for almost 20 years, I have testified several times before Congress on issues of asylum, refugee rights and fairness. The NCHR led national campaigns that resulted in the adoption of the Cuban-Haitian Adjustment Act in 1986 (as part of the Immigration Reform and Control Act) and the Haitian Refugee and Immigration Fairness Act in 1998. Together these Acts rendered about 90,000 Haitian immigrants and refugees eligible for legal permanent resident status.

In addition to campaigning on behalf of Haitian immigrants and refugees, I have taken up the cause of Haitians living in Haiti and elsewhere, promoting their human rights in US and international forums. I have served on the Boards of Directors of the New York Immigration Coalition, the National Immigration Forum, the Haitian Studies Association, and the Board of Advisers to Human Rights Watch/Americas. I have written several reports and monographs documenting human rights conditions in Haiti and the Dominican Republic and worked closely with US, United Nations and regional institutions to help shape policies that would benefit the people of Haiti. This said, I have had the opportunity to come before the NYC Council in the past to testify and I am pleased to do so again on behalf of HAUP.

### **HAUP Supports Res. No. 1595**

Exactly a month ago on March 20, President Barack Obama signed an Executive Order extending the temporary stay in the US of an estimated 3,500 Liberians for another 12 months. Liberians breathed a sigh of relief because their current stay of deportation would have expired on March 31st, 2009.

What distinguishes Haitians from Liberians? The circumstances that led to their seeking refuge in the United States are not different. Political upheaval, a shattered economy, a dysfunctional and feeble government, the presence of thousands of UN peacekeepers, these are the common ground that justify the presence of Haitians and Liberians on American soil.

The main argument against granting TPS to Haitians boils down to the fear that it will trigger a massive exodus from Haiti. We respectfully disagree and here is why:

1. With near-zero forest cover Haiti cannot provide for enough wood to build the boats that would support a “massive” exodus. It bears to remind ourselves that the last major influx of boat people to the United States occurred in 1980 when 125,000 Cuban refugees and about 18,000 Haitians made it to the shores of Florida. The Mariel exodus as the Cuban exodus was called was heavily facilitated by boats deployed from Florida to pick up the Cubans whom the Cuban government allowed to leave en masse at the time. That was almost 30 years ago.
2. US coast guard cutters have been patrolling the waters just outside of Haiti since September 1981 when President Ronald Reagan signed an executive order specifically targeting Haitian refugees. The *Haitian Migrant Interdiction Operation* authorized US coast guardsmen to intercept on the high seas any vessels flying the Haitian flag or carrying Haitians, and return its passengers to Haiti after a perfunctory interview that paid lip service to the prohibition against *refoulement* contained in the UN Convention on the Status of Refugees.
3. The US does not plan on suspending Coast Guard interdiction: not now, not in the future. Interdiction remains a key component of US policy towards Haiti although it is carried out with little fanfare. It is effective: the Coast Guard catches most Haitian boat people before they are too far away from Haitian shores. In 1992 and 1994, during the period when a military junta ruled Haiti with an iron hand, the US Coast Guard intercepted more than 60,000 Haitian boat people. It coordinates its interdiction operations with the Bahamas which promptly repatriates Haitians who wash ashore or found floating at sea near their shores.

4. President Bill Clinton granted Deferred Enforcement Departure (DED) to Haitian immigrants in the US. DED is a modified form of TPS. Granting DED did not lead to mass exodus from Haiti. Later, President Clinton supported the enactment of the Haitian Refugee Immigration Fairness Act (HRIFA), a measure that had the unanimous support of the members of the Congressional Black Caucus and many other members from both parties. Enactment of HRIFA did not lead to mass exodus. In fact there has been no mass exodus from Haiti in the last 15 years!

### **There is Widespread Support for TPS for Haitians**

Most of the major US Newspapers have argued that Haitians should be granted TPS. They include the NY Times, the NY Daily News, the Washington Post, the Chicago Tribune, the San Francisco Chronicle and the Miami Herald among others. National groups, such as the US Conference of Catholic Bishops, the NAACP, the National Immigration Forum and several state-wide immigration coalitions have affirmed or reaffirmed support for the temporary measure.

The Council of the City of NY would not be out of step with the mainstream of American thoughts by voting in favor of Res. 1595. In fact it would be an additional signal to the Obama Administration that the constituency for TPS for Haitians continues to grow and now enjoys the support of a city that is home to a significant segment of the Haitian Diaspora.

We see signs that the Administration is listening. Last week, Secretary of State Hillary Clinton indicated during a visit to Haiti that the Administration was seriously considering reversing past policies and granting Haitians the well-deserved respite from fears of deportation. We urge the Council to put TPS for Haitians on a fast track by not wasting another minute in approving the sensible resolution that is before this Committee.

Let's be clear however: the resolution supports a legislative remedy, but the White House has the power now to act. It does not need the force of legislation to do so. That power was given the Executive Branch long ago. President Obama should do the right thing by Haitians. The NYC Council should help him take that step promptly.

### **The City of New York Should Support TPS Implementation**

Should TPS be granted – and we truly hope that it will be sooner rather than later – it is estimated that more than 30,000 Haitians would be eligible, many from New York City. TPS is temporary protection from deportation. It may be granted for no more than 18 months. At his discretion, the President can extend TPS as he has done in the case of the Liberians and as has been done for Salvadorans, Guatemalans, Hondurans, Nicaraguans and others.

There may be a limit placed on the registration period and there may not be sufficient information provided to eligible Haitians to educate them about the benefits, the eligibility criteria and most importantly the need to emerge out of the shadows to qualify.

We suggest that the Council of the City of New York consider providing monetary support to community-based organizations that, like HAUP, have the credibility and a long history of delivering quality services to Haitian immigrants and refugees.

It has long been held as a given that given its dependence on remittances from abroad, Haiti would benefit the most from TPS. Haiti will certainly benefit. We suggest however that

municipalities like NY, which hosts a large number of TPS beneficiaries, benefit tremendously from having constituents who possess a legal work permit and can contribute to the revenues from taxation. Consequently it is in the best interests of the people of NY to ensure maximum Haitian participation in an eventual TPS program. We believe that the benefits to New York City outweigh the costs associated with TPS implementation.

In conclusion, we wish to commend the sponsors of Resolution 1595 for their vision and support for TPS for Haitians. Adoption of the resolution will send a strong signal to the Obama Administration and Congress that New York City, home to hundreds of thousands of Haitians, remains sensitive to the needs of its constituents and looks forward to the day when we can celebrate the granting of TPS to Haitians.

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: Samuel Pierre 'pop' from Congressman Ed Towns

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

▶ Please complete this card and return to the Sergeant-at-Arms ◀