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January 13, 2010

Hon. Janet Napolitano
Secretary
Department of Homeland Security
3801 Nebraska Ave, NW
Washington, D.C. 20528

Dear Secretary Napolitano:

While undoubtedly efforts with respect to Haiti right now are concentrated on rescue and relief, we at the American Immigration Lawyers Association (AILA) ask that you act quickly to designate Haiti for Temporary Protected Status (TPS) under §244(b) of the Immigration and Nationality Act.

AILA is the national association of immigration lawyers with more than 11,000 members. It was established in 1946 to promote justice, advocate for fair and reasonable immigration law and policy, advance the quality of immigration and nationality law and practice, and enhance the professional development of its members. AILA has supported the judicious grant of TPS in limited cases in the past based on a studied consideration of the totality of the circumstances.

The tragic situation in Haiti justifies such a designation. The worst earthquake in 200 years has left thousands, and perhaps millions, homeless. Infrastructures have quite literally crumbled. There is simply no way that Haiti could absorb the return of its nationals under these conditions. This Administration has expressed its desire to apply our immigration laws in a fair and compassionate manner. Here is a situation that cries out for that fairness and compassion.

We therefore ask that Haiti be designated for TPS with all due haste.

Thank you for your consideration of this request.

Sincerely,

Bernard P. Wolfsdorf
President, American Immigration Lawyers Association