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United States Senate  
WASHINGTON, DC 20510-0905

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BILL NELSON  
FLORIDA

July 20, 2018

The Honorable Kirstjen Nielsen  
Secretary of Homeland Security  
3801 Nebraska Avenue NW  
Washington, DC 20528

The Honorable Lee Francis Cissna  
Director  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue NW  
Washington, DC 20529

Dear Secretary Nielsen and Director Cissna:

I write today to express my serious concern regarding possible delays in the processing of Employment Authorization Documents (EADs) submitted by Haitians living in the United States under Temporary Protected Status (TPS). I request your immediate attention to this issue.

As you know, the automatic, six-month extension of EADs granted in January to Haitian TPS-holders will expire at the end of tomorrow, July 21, 2018. It has come to my attention that—just hours before the deadline—at least 100 Haitians living in Florida have not received an update on the status of their EAD renewal, despite having submitted their application months ago. This is unacceptable.

The decision to terminate TPS for Haitians was plainly wrong and misguided—but if the Administration insists on pressing forward with the cruel decision to terminate TPS, the least it can do is to provide the Haitian community with fair and predictable guidance. If true, the Administration's delays in processing these renewals leaves Haitian TPS-holders and their families—as well as the many employers that rely on them—in a state of uncertainty.

Given the time sensitive nature of this issue, I urge you to grant an automatic extension of work authorization for Haitians TPS-holders before tomorrow's deadline. Further, I request that you provide an explanation for any delays in these renewals no later than August 3, 2018.

Haitians are an invaluable, hardworking part of the Florida community. They deserve more than fear and uncertainty about whether they can earn an honest living in America.

Thank you for your immediate attention to this request.

Sincerely,



U.S. Citizenship  
and Immigration  
Services

August 20, 2018

The Honorable Bill Nelson  
United States Senate  
Washington, DC 20510

Dear Senator Nelson:

Thank you for your July 20, 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.

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](http://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