



## **FANM Urges Congress to Pass the Dream and Promise Act**

*The Dream Act and Promise Act will give permanent protections for recipients of TPS, DED, and those eligible for DACA*

The U.S. House Committee on the Judiciary tomorrow will markup H.R. 2820 and H.R. 2821, which are legislations that together offer a path to citizenship to Dreamers and beneficiaries of Temporary Protected Status (TPS) and Deferred Enforced Departure (DED).

Founded in 1991, Family Action Network Movement (FANM) formerly known as Fanm Ayisyen Nan Miyami/ Haitian Women of Miami is a private not-for-profit organization dedicated for the social, economic and political empowerment of Haitian women and their families in South Florida. Located in the heart of Little Haiti, FANM serves the needs of indigent and low-income women, and their families as well as victims of abuse, neglect, violence, discrimination, and racism. Since, 1991, FANM has championed and advocated for the rights of those who have been underserved, marginalized and disenfranchised. FANM's mission is to empower low to moderate income families socially, financially, and politically and to give them the tools to transform their communities.

The trump administration terminated TPS for over 350,000 with deep roots in their communities, with 270,000 U.S. born Children among them.

Haitian communities are comprised of decent, hard-working, tax-paying refugees and immigrants, seeking the American dream, whose U.S.-born children are our future, and whose remittances sustain their relatives in Haiti. Haitians have suffered from discriminatory U.S. immigration policies for decades. Despite fleeing harsh dictatorships, they have been interdicted at sea and summarily repatriated without asylum screenings, indefinitely detained often for years, and repeatedly denied fair asylum proceedings and determinations.<sup>1</sup> Ignoring the destruction caused by the 2010 earthquake, Hurricane Matthew, the imported cholera outbreak, hurricane Irma and Maria is unconscionable. TPS status gave Haitian nationals a safe haven in the U.S. where they have established their lives by contributing to our economy and our communities. TPS recipients will now be faced with having to make difficult decisions that will break families apart, harm our economy and destabilize Haiti.

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<sup>1</sup> See "Successes and Challenges for U.S. Policy to Haiti," Hearing Before the Committee on Foreign Relations, United States Senate, 108<sup>th</sup> Congress First Session, July 15, 2003, Testimony of Steven David Forester, Esq., Senior Policy Advocate, Haitian Women of Miami, which I incorporate herein by reference. That testimony describes this history of discrimination in detail, citing statistics, federal court cases, and facts, and thoroughly outlines the pressing need for legislation to correct or "fix" flaws in the Haitian Refugee Immigration Fairness Act of 1998 (HRIFA). As discussed infra, such HRIFA Improvement legislation has been introduced thrice in the House of Representatives since 2003 and currently comprises Section 519 of the STRIVE Act. Although it was included in S. 2611, the comprehensive immigration reform bill which passed the Senate last May, one glaring defect of the current Senate proposal is that it does not currently contain such HRIFA Improvement legislation, a defect which should be remedied. being given the opportunity to achieve."

The failure to grant Haitians TPS, continuing to deport good people who have been here for years, endangers U.S. borders. Haitians in the United States remit \$1.17 billion annually which supports nearly a million adults in Haiti.<sup>3</sup> When long-resident hard-working people are deported to this hemisphere's poorest country, it not only rips them away from their U.S.-born children, forcing those children to make the wrenching choice between the only parents they have ever known and the only country they have even known -- the United States -- it also instantly cuts off the flow of money which sustains their relatives in Haiti, thereby causing the very desperation which a sound Haiti policy should seek to prevent and leading many Haitians, all of whom love their country, to attempt dangerous, often deadly 700 mile sea voyages which so unnecessarily tax U.S. Coast Guard, Border Patrol, detention, and judicial resources. To protect our children and our borders, we should keep these parents with their children and their remittances flowing to their relatives.<sup>4</sup>

Last year, we spearheaded the national campaign for 300,000 TPS recipients from Haiti, Honduras, El Salvador, Nicaragua, and several African nations, and we won. Now, FANM is working on a three-prong strategy:

A local strategy to organize TPS recipients, collect stories of the TPS families who have been living in the U.S. for an average of 7 to 30 years. Last year, FANM led over a dozen rallies, ten press events, four TPS summits to highlight the financial contributions of the TPS recipients to the U.S. economy and the impact that deporting them will have on their lives and those of their estimated 275, 000-500,000 U.S. born children.

A legal strategy: FANM supported the filing of these seven lawsuits against the Trump Administration: *NAACP v. DHS*, *Centro Presente v. Trump*, *Ramos et al v. Nielsen*, *Saget v. Trump*, *Casa De Maryland, Inc. v. Trump*, *Bhattari et al v. Nielsen*, *Moreno v. Nielsen*. FANM was a plaintiff in the *Saget vs Trump* Lawsuit. Our own Executive Director Marleine Bastien was a witness and she successfully shared the stories of Haitian TPS holders and how Trump administration's harsh decision to terminate TPS is wreaking havoc in their lives.

A legislative Strategy: FANM organized and led 5 trips to D.C. last year where TPS recipients met with both Democratic and Republican lawmakers to advocate for a permanent solution for TPS recipients. Last year, FANM successfully took part in over 80 meetings with lawmakers to bring attention to the plight of TPS families facing deportation to nations in turmoil.

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<sup>4</sup> See "Sweat, generosity of emigrants Haiti's lifeline," op-ed by Ana Menendez, *Miami Herald*, April 8, 2007. See also the IDB report cited in footnote 3 and many of the items cited in footnote 2.

<sup>5</sup> See "She's the face of immigration policy," by Ana Menendez, *Miami Herald* (front page), April 11, 2007; "Immigration chaos tears a family apart," by Ana Menendez, *Miami Herald*, March 7, 2007; "Split decision: Deportation redefines families, As more longtime residents are deported, many are forced to choose whether to leave their U.S.-born children behind," by Ruth Morris, *South Florida Sun-Sentinel*, February 25, 2007; "U.S. adding fugitive squads that target immigrants who ignore expulsion orders," by Ruth Morris, *South Florida Sun-Sentinel*, February 26, 2007; "Increased deportations targeting all illegal immigrants," by Victor Ramos, *Orlando Sentinel*, May 14, 2007 (focusing on Alexandre Nicolas); "Family apart as immigration debate goes on," by Ana Menendez, *Miami Herald*, December 14, 2005; "A father is gone, guilty of being Haitian," by Ana Menendez, *Miami Herald*, September 10, 2005.

The Dream and Promise Act of 2019 would grant young undocumented immigrants who came to the United States as children, including those shielded from deportation by the Obama-era Deferred Action for Childhood Arrivals (DACA) program, an opportunity to acquire full U.S. permanent residency if they meet certain requirements. Additionally, the bill would allow hundreds of thousands of Temporary Protected Status (TPS) recipients — as well as Liberian immigrants covered by Deferred Enforced Departure (DED) — to gain permanent lawful status.

These bills are a great step toward finding a permanent solution for these deserving families. They will provide protection to the well-deserved and hardworking taxpayers. They will trailblaze a path to permanent residency for thousands of TPS, DACA and DED recipients. FANM is committed to the passage of this bill into law. The Dream and Promise Act will give TPS and DACA recipients a safe haven in the U.S. where they have established their lives by contributing to our economy and our communities.

We share the prayer that Congress shall pass H.R. 2820 and H.R. 2821 which will provide a fair and workable path to legalization for all these deserving immigrants.

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<sup>3</sup> See “Remittances to Haiti topped \$1.65 billion in 2006, says IDB fund,” press release, Inter-American Development Bank, March 5, 2007. “About 1.1 million adults in Haiti receive remittances, typically 10 times a year, at an average of \$150 at a time. About half the families that receive money from abroad have incomes of less than \$500 a year... Most Haitians who receive remittances use the money to cover basic expenses. However, many families manage to save a portion of their money or invest it in small businesses, home improvements or the education of their children.” Id.

<sup>4</sup> See e.g., three CBS local South Florida reports by Jennifer Santiago, 2005-2006; editorial, “Immigration Issue: A loophole leaves Haitians eligible for safe harbor facing deportation,” *South Florida Sun-Sentinel*, October 16, 2005; editorial, “Haitian immigrants merit fair relief Our opinion: Congress should approve law to end mistreatment,” *Miami Herald*, October 10, 2005; “Unintended Consequences: After thirteen years in Miami, Omila Foufoune Cesaire faces deportation to the Haiti she fled in fear,” by Tristram Korten, *Miami New Times*, September 15, 2005; “Dividing Families: Approximately 3,000 Haitians who have been living, working, and raising families in the United States for more than 10 years face deportation because of a legislative oversight,” by Paige Stein, *Boca Raton News*, July 19, 2004; editorial, “A remedy for Haitians Our opinion: Press for approval of Rep. Meek’s bill,” *Miami Herald*, January 13, 2004; “Flaw in immigration law threatens deportation for some Haitian refugees,” by Ken Thomas, *Associated Press, San Francisco Chronicle*, December 29, 2003, *Naples Daily News*, December 30, 2003, and many others