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United States Senate

May 18, 2020

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The Honorable Chad F. Wolf
Acting Secretary
Department of Homeland Security
2801 Nebraska Avenue, N.W.
Washington, D.C. 20528

Dear Acting Secretary Wolf,

I write to urge you to immediately halt deportations to the Republic of Haiti during the COVID-19 pandemic. I further seek to understand why U.S. Immigration and Customs Enforcement (ICE) reportedly planned to deport to Haiti individuals known to have tested positive for the novel coronavirus, which causes COVID-19.

According to the Miami Herald, an initial manifest for an ICE deportation flight headed to Port-au-Prince on May 11, 2020 included the names of at least five detainees with positive coronavirus test results.¹ Although ICE subsequently removed those detainees from the flight, ICE proceeded to deport fifty passengers, including children and thirty-six adults with no criminal backgrounds.² ICE has continued deportations to Haiti even following reports that at least three previously deported people tested positive for the coronavirus after their arrival in Port-au-Prince.³

As I wrote in my letter dated March 17, 2020, deportations during this outbreak pose a serious risk for the spread of the coronavirus, particularly given that time in detention and grueling travel may weaken immune defenses and exacerbate the risk of infection. Deportation flights to any country during this time endanger passengers and crewmembers. Moreover, they increase the likelihood that the United States may export infections to countries with weak public health infrastructure.

¹ Jacqueline Charles and Monique O. Madan, *Haiti coronavirus panel demands that ICE halt deportations until pandemic is controlled*, Miami Herald (May 10, 2020),

<https://www.miamiherald.com/news/local/immigration/article242637741.html>.

² Jacqueline Charles and Monique O. Madan, *ICE removes detainees with coronavirus from deportation flight to Haiti*, Miami Herald (May 11, 2020), <https://www.miamiherald.com/news/local/immigration/article242645496.html>.

³ Andre Paultre, *Haiti receives more deportees from U.S. despite coronavirus fears*, Reuters (Apr. 23, 2020), <https://www.reuters.com/article/us-health-coronavirus-haiti-deportation/haiti-receives-more-deportees-from-u-s-despite-coronavirus-fears-idUSKCN22606Y>.

Reports regarding ICE policy with respect to Haiti, the poorest country in the Western Hemisphere,⁴ are deeply troubling. In January, even before the worldwide spread of the coronavirus, Doctors Without Borders assessed that Haiti's medical system was "on the brink of collapse."⁵ Its public health infrastructure has not recovered from a devastating 2010 earthquake or the subsequent nine-year long cholera epidemic. Haitian experts warn that the country could require as many as 9,000 hospital beds to treat patients with COVID-19 at the peak of infections, yet Haiti has only 200.⁶ The Haitian government is quarantining all arriving deportees in rooms that could otherwise host Haitians who cannot isolate themselves.⁷ In response to this dire reality, a Haitian presidential panel has called for the suspension of U.S. deportations, citing the demands they place on Haiti's scarce human and material resources.⁸

It is unacceptable that ICE is including on deportation flight manifests individuals known to have tested positive for the coronavirus. ICE either has dangerously inadequate procedures in place to ensure that it excludes these individuals from flights or is intending to send infected individuals to other countries.

I urge you to heed the warnings of many humanitarian advocates⁹ and medical experts,¹⁰ and make the sound choice — and the moral choice — to halt needless deportations to Haiti and other nations during this pandemic. Every COVID-19 case introduced to Haiti and similarly situated countries could leave an exponentially expanding wake of suffering.

I respectfully request a written response to the concerns raised in this letter, and to the following questions, no later than June 8, 2020:

⁴ The World Bank, Haiti Overview, <https://www.worldbank.org/en/country/haiti/overview>.

⁵ Kevin Sieff, *Haiti, spared a major coronavirus outbreak so far, now a 'tinderbox' set to 'explode'*, Washington Post (May 15, 2020), https://www.washingtonpost.com/world/the_americas/coronavirus-haiti-dominican-republic-hispaniola/2020/05/14/a51d0664-947f-11ea-87a3-22d324235636_story.html.

⁶ Kevin Sieff, *Haiti, spared a major coronavirus outbreak so far, now a 'tinderbox' set to 'explode'*, Washington Post (May 15, 2020), https://www.washingtonpost.com/world/the_americas/coronavirus-haiti-dominican-republic-hispaniola/2020/05/14/a51d0664-947f-11ea-87a3-22d324235636_story.html.

⁷ Andre Paultre, *Haiti receives more deportees from U.S. despite coronavirus fears*, Reuters (Apr. 23, 2020), <https://www.reuters.com/article/us-health-coronavirus-haiti-deportation/haiti-receives-more-deportees-from-u-s-despite-coronavirus-fears-idUSKCN22606Y>.

⁸ Jacqueline Charles and Monique O. Madan, *Haiti coronavirus panel demands that ICE halt deportations until pandemic is controlled*, Miami Herald (May 10, 2020), <https://www.miamiherald.com/news/local/immigration/article242637741.html>.

⁹ *A Coalition Of More Than 100 Groups Demand Trump Stop Deportations To Haiti*, Haitian Times, (April 22, 2020), <https://haitiantimes.com/2020/04/22/a-coalition-of-more-than-100-groups-demand-trump-stop-deportations-to-haiti/>.

¹⁰ *MSF demands US stop deportations to Latin America and the Caribbean*, Doctors Without Borders/Médecins Sans Frontières (May 4, 2020), <https://www.doctorswithoutborders.org/what-we-do/news-stories/news/covid-19-msf-demands-us-stop-deportations-latin-america-and-caribbean>.

- 1) Has ICE knowingly deported to Haiti or any other country any individuals who have tested positive for the coronavirus?
- 2) Are all individuals scheduled for deportation tested for the coronavirus before their scheduled departure? What is the current protocol for dealing with deportees who test positive?
- 3) Does current ICE policy prohibit the deportation of individuals known to have tested positive for the coronavirus? If not, why not?
- 4) If ICE's policy is to not deport individuals who have tested positive for the coronavirus, why were at least five such individuals reportedly included on an initial flight manifest for a May 11, 2020 deportation flight to Haiti?

Thank you your attention to this important matter. If you have any questions about these requests, please contact Omar Bashir of my staff at omar_bashir@markey.senate.gov.

Sincerely,



Edward J. Markey
United States Senator