

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS

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(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

November 8, 2021

Delivered via email

Dear Members of the Massachusetts Congressional Delegation:


I have written the enclosed letter to U.S. Health and Human Services Secretary Xavier Becerra requesting federal guidance and assistance to enable the Commonwealth to better plan for and serve the influx of families and individuals of Haitian origin. I would like to make you aware of the questions I have posed to Secretary Becerra and ask for your assistance in ensuring we receive a prompt response.

As you are aware, Massachusetts, like other states with large Haitian communities, has experienced this influx predominantly as a result of the federal government's actions at the southern border. The people of Haiti have faced many challenges in recent years, including devastating earthquakes and hurricanes, and political unrest. The Commonwealth of Massachusetts has great compassion for those who have left Haiti and are seeking a better life in the United States.

Massachusetts is proud to welcome individuals and families seeking asylum and refuge and is dedicated to helping these families live with dignity, but without the federal government's significantly improving the process outlined in the enclosed letter, these families will not be able to access the necessary resources.

I would appreciate any assistance you can provide in ensuring the Commonwealth receives the requested guidance as soon as possible. Thank you for your support in this effort.

Sincerely,

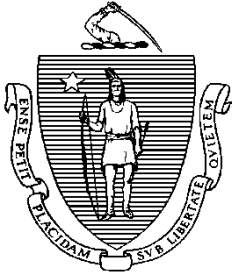
A handwritten signature in blue ink that reads "Charles Baker". The signature is written in a cursive, flowing style.

Charles D. Baker
Governor

Enclosure: letter to U.S. Health and Human Services Secretary Xavier Becerra

cc:

Senator Elizabeth Warren
Senator Edward Markey
Representative Richard Neal
Representative James McGovern
Representative Lori Trahan
Representative Jake Auchincloss
Representative Katherine Clark
Representative Seth Moulton
Representative Ayanna Pressley
Representative Stephen Lynch
Representative William Keating



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November 8, 2021

The Honorable Xavier Becerra
Secretary, U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Becerra:

As you are aware, Massachusetts, like other states with large Haitian communities, has experienced an influx of families and individuals of Haitian origin predominantly as a result of the federal government's actions at the southern border. The people of Haiti have faced many challenges in recent years, including devastating earthquakes and hurricanes, and political unrest. The Commonwealth of Massachusetts has great compassion for those who have left Haiti and are seeking a better life in the United States.

While many of the arrivals qualify for Haitian entrant status, entitling them to federal and state benefits, a significant portion either lack the documentation or possess unclear documentation, rendering them ineligible for any federal or state assistance at this time. With nowhere else to go after federal authorities release them from custody at the southern border, these individuals have begun to arrive at the front-door of our shelter system and at the emergency departments of our local hospitals. I am therefore requesting federal guidance and assistance to enable the Commonwealth to better plan for and serve these individuals and families.

Before turning to my questions around the arriving Haitians, I want to first acknowledge and express appreciation for the robust communications and federal support as thousands of Afghan evacuees are resettled in the United States. The weekly emails from the Afghan Placement and Assistance Program alerting us to the number of weekly arrivals and regular communication from our federal partners – including the Department of Homeland Security; the Department of State's Bureau of Population, Refugees, and Migration; the Department of Health and Human Services' Administration for Children and Families; and the Office of Refugee Resettlement – has enabled the Commonwealth, its agencies, and partner Resettlement Agencies to prepare and respond to the Afghan families and individuals arriving to the Commonwealth.

We are requesting the same level of communication and partnership for the arriving Haitian people. First, we are looking for information on the number of expected arrivals to Massachusetts and the statuses of these individuals and families (including the length of stay permitted under such statuses), so we may gain a better understanding of what proportion is eligible for federal and state assistance. I do recognize that this is not an organized resettlement, but the Commonwealth currently has received little to no information from the federal government after processing these arrivals before they left the Del Rio sector in Texas or from check-ins of arrivals at the ICE/ERO office in Burlington, Massachusetts.

We also request updated guidance about what documentation confers Haitian entrant status and therefore eligibility for ORR benefits and supports and state-administered benefits including Medicaid coverage, Temporary Assistance for Needy Families (TANF), and Supplemental Nutrition Assistance.¹ We have heard from our community partners and local Resettlement Agencies that they are seeing unfamiliar and inconsistent documentation, such that they cannot determine benefits eligibility. They are also reporting that the arrivals have had their passports and documentation seized at the border. Clear, updated federal guidance would enable the Resettlement Agencies and our other community partners, in partnership with the Massachusetts Office for Refugees and Immigrants, to expeditiously determine a family's or individual's status and connect them to the appropriate benefits and supports – which is critical for this high-need and often traumatized group.

We are also seeing a number of mixed status families, who presumably departed Haiti after the 2010 earthquake and only arrived to the U.S. recently after extended stays in South American countries. We seek clarification on whether the children of Haitian nationals born outside of Haiti (but not in the U.S.) can be considered an entrant eligible for ORR benefits and services. This is also a live question for the purposes of determining TANF and SNAP eligibility. Our Massachusetts Department of Transitional Assistance has posed this question to the USDA Food and Nutritional Service, and we would value your assistance in facilitating a prompt response. We would strongly advocate that these children of Haitian entrants be considered the same status as their parents for the purposes of ORR benefits and core state service eligibility.

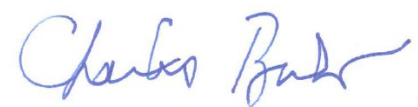
Finally, for the Haitian arrivals not currently eligible for ORR benefits, I would advocate that these Haitian arrivals be extended humanitarian parole – thereby qualifying them as ORR-eligible Haitian entrants.

Massachusetts is proud to welcome individuals and families seeking asylum and refuge and is dedicated to helping these families live with dignity, but without the federal government's significantly improving the process outlined above, these families will not be able to access the necessary resources.

I ask that you review the concerns that I have raised and provide the requested guidance as soon as possible. Thank you for your consideration.

¹ We have reviewed the current guidance: eCFR: 45 CFR Part 401 -- Cuban/Haitian Entrant Program, ORR documentation requirements, and ORR Policy Letter 19-06.

Sincerely,

A handwritten signature in blue ink that reads "Charles Baker". The signature is written in a cursive style with a long, sweeping tail on the letter "k".

Charles D. Baker
Governor