



## Haitian Refugee Center

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WASHINGTON OFFICE

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October 12, 1979

Dear Friends and Supporters of Haitian Refugees:

Haitians crossed nearly 800 miles of ocean to seek freedom here, but they are almost uniformly denied the political asylum for which they yearn. Men, women, and children are jailed upon their arrival, denied work permits and essential social services, and rushed through deportation hearings to expedite their removal from the United States.

These are the "Black Boat People," whose treatment has been and remains in distinct contrast to the hundreds of thousands of Indochinese, Cubans, Hungarians, and others who have been granted parole — political asylum — in the U. S.

Worst of all: recent distinguished federal court testimony before Judge James L. King reveals that **Haitians deported back to Haiti from the United States are arrested and imprisoned upon their return in Haiti's infamous political prisons.**

National concern about this disparate treatment is alive and growing. Those calling for asylum for Haitian refugees in the United States include Florida Senator Stone, numerous United States Representatives, State and County officials and concerned citizens, the Congressional Black Caucus, Florida NAACP, World Council of Churches, National Emergency Civic Liberties Committee, American Council for Voluntary Agencies, the Arch-Diocese of Miami, and many other groups.

But **YOUR** help is urgently needed. We have just learned that the deadline for granting asylum could be **mid-October, 1979**, not Thanksgiving, as indicated in the brochure. Reason: a refugee bill just approved by the House Judiciary Committee and scheduled for final vote in a few days could well **eliminate** the President's power to grant asylum to groups. We therefore urge an immediate appeal to President Carter to grant asylum to Haitian refugees **NOW!**

We ask you to involve your organization, other organizations and friends, to send organizational letters, group letters, letters by influential leaders, and letters by poor citizens requesting the President to extend political asylum to all Haitian refugees who have filed for political refugee status, and whose status in this country have not been decided.

We urge you to write the President immediately and send a copy of your letter to Marie Poitier, Chairman of the Haitian Refugee Center Steering Committee, 1260 N. W. 62nd Street, Miami, Florida 33147.

Sincerely,

MARIE W. POITIER  
Chairman, Steering Committee  
Haitian Refugee Center

DM/zip

## INFORMATION SHEET

We have now reached the point where the only moral, political and practical solution to the problem of the @ 8,000 Haitians who have sought asylum in the U.S. since 1972 is for the Attorney General to exercise his parole authority and grant political refugee status within the next month to Haitians who have claimed political asylum on or before June 30, 1979.

### THE LEGAL SITUATION:

The due process law suit filed in May is now before Federal District Judge James Lawrence King with a hearing on a preliminary injunction scheduled for October 13 to stay deportations and proceedings until he has a chance to fully adjudicate the due process issues later this year or the beginning of next. At the mid-September hearing, he focused attention on the question of persecution in Haiti and has indicated that he may make findings of fact re: the character of the Haitian regime that would put the burden of proof on the U.S. Government to prove that each asylum applicant would not be persecuted if returned to Haiti. This, combined with the strength of the due process issues indicates that the case may be won, but only after a lengthy legal battle. The result would then be that Immigration Service (INS) would be required to re-do each of the thousands of individual cases in a lawful fashion--which could take years and millions of dollars.

### THE LEGISLATIVE SITUATION:

The Refugee Act of 1979 has passed the Senate, come out of the House Judiciary Committee, and is now before Rep. Fascell's Subcommittee on International Operations for sequential referral. The original version now includes the Butler Amendment which restricts it even further. We are now facing the possibility that after passage there may not exist the legal possibility to administratively grant group parole to this back-log of 8,000 cases. Therefore, we may need to legislatively insure that the parole authority may be used to accord refugee status retroactively to persons who have already entered the U.S. Given the anti-alien mood in Congress, this will be difficult without mass support. Further, since speedy passage of this bill is necessary to the financing of the on-going Indo-China Program, Congress will need to pass the finished bill on to President Carter for his signature before they recess October 20.

### THE POLITICAL SITUATION:

Carter needs the Florida primary to strengthen his candidacy. The Florida supporters have managed to get parole for the Haitians through the Democratic Party State Platform Committee for submission to the mid-November state convention. The South Florida Representatives and the two Senators have been very receptive to pressures from their constituents to promote whatever actions are necessary to obtain federal financial assistance to meet the Haitian' human service needs. They are expected to join the Congressional Black Caucus Task Force on Haitian Refugees, chaired by Rep. Chisholm, in a series of legislative lobbying efforts on the Refugee Bill and meetings with key administrative figures (eg., Ambassador Clark, Attorney General Civiletti and possibly even President Carter) to strongly urge that Haitians who have claimed asylum be administratively paroled as refugees.

### WHAT IS NEEDED IS A MAJOR CAMPAIGN OF NATIONAL DIMENSIONS --- FAST!

#### Actions:

Letters, telegrams, etc., sent by the heads of a diversity of national organizations directly to Carter. (Sample letter attached); articles in organizational publications; letters to the editor and feature articles in a variety of newspapers; immediate pressure on key congressional offices (eg., Kennedy, Rodino, Holtzman, Stone, Chiles and other Florida Representatives, as well as Governor Graham to support administrative parole for Haitian asylum applicants.

SAMPLE LETTER

Dear Mr. President:

I am very concerned about the mistreatment of the Haitian Refugees by the United States Government.

These people have been discriminated against by the United States Government for the past 7½ years. How long do you intend to wait, while Haitians continue to be harrassed and tormented by your administration?

I am requesting that you exercise your power to instruct the Attorney General to exercise his authority and grant political refugee status within the next month to Haitians who have claimed political asylum on or before June 30, 1979.

May God bless you and may God bless America.

Sincerely yours,

STATEMENTS IN SUPPORT OF HAITIANS

AMNESTY INTERNATIONAL USA IN THEIR DECEMBER 18, 1978 STATEMENT:

"AIUSA's findings are consistent with the observations of Haitian emigrants, journalists, and others in recent months that the apparatus of repression established under Francois Duvalier remains in place under Jean-Claude Duvalier. While some easing of the more visible forms of repression may have occurred, the potential utilization of existing structures continues to exercise a chilling effect on dissident political activity in Haiti. In addition, widespread repressive and presumably illegal activities by local authorities in Haiti, which often take the form of extortion, are apparently either beyond the control of or knowingly tolerated by the Duvalier government in Port-au-Prince."

LAWYERS COMMITTEE FOR INTERNATIONAL HUMAN RIGHTS, THE INTERNATIONAL HUMAN RIGHTS LAW GROUP AND WASHINGTON LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW--OBSERVED I.N.S. PROCEDURES IN MIAMI, OCTOBER 1978 AND CONCLUDED:

"That as a result of the accelerated hearing and interview schedules and the violations of INS regulations and due process requirements, it has become virtually impossible for immigration lawyers to represent the Haitians effectively!"

CONGRESSMAN WILLIAM LEHMAN, 13TH DISTRICT FLORIDA, AUGUST 16, 1979:

"I think a first solution would be for the U.S. Government to parole those Haitian refugees who arrived in the United States on or before June 30, 1979. Thereby, we can begin adjudicating cases of the new arrivals in a timely manner.

This would, in effect, help clear the case backup and insure that Haitian aliens receive due process.

I will continue to urge INS to obtain sufficient, knowledgeable staff to process the refugees fairly. I will also encourage the Department of State to step up its efforts to reach a better understanding of the political plight of the Haitian people."

PLANK IN HUMAN RIGHTS SECTION OF PLATFORM APPROVED BY PLATFORM COMMITTEE DEMOCRATIC PARTY, STATE OF FLORIDA UNANIMOUSLY, SEPTEMBER 15, 1979:

"The Haitian refugees of South Florida, however, represent a unique problem. Parole status should immediately be granted to those Haitian refugees presently in the United States who seek political asylum."

THE DEMOCRATIC PLATFORM COMMITTEE SENT THE FOLLOWING RESOLUTION TO PRESIDENT CARTER WHICH WAS UNANIMOUSLY ADOPTED SEPTEMBER 14, 1979:

"WHEREAS the United States, in keeping with its heritage as a refuge for the oppressed and persecuted, has welcomed and given blanket parole status to numerous thousands of Vietnamese, Cuban, and other refugees, and

WHEREAS eight to ten (8 to 10) thousand Haitians have in the last many years risked their lives, crossing hundreds of miles of ocean in small boats and leaving their families, to flee repressive conditions in their homeland and seek political asylum in the United States,

THEREFORE be it RESOLVED that the Attorney General of the United States should grant parole--political asylum--by Thanksgiving, 1979, to all Haitians presently in the United States who seek political asylum.

THEREFORE be it further RESOLVED that United States foreign policy, as it relates to Haiti, should have as its highest purpose, the easing of those conditions which cause Haitians to flee their homeland."

CONGRESSWOMAN SHIRLEY CHISHOLM, 12TH DISTRICT, NEW YORK, JULY 19, 1979, PROMISED TO:

"Go to the highest officials in this country to ensure that the rights of Haitians are protected." The Congresswoman called upon the government to establish an evenhanded policy with respect to refugees regardless of their race, ethnicity, national origin or the political ideology of their homeland. "This is a fight we intend to win", she said.

WALTER E. FAUNTROY, MEMBER OF CONGRESS, THE DISTRICT OF COLUMBIA CALLS FOR JUSTICE FOR HAITIAN REFUGEES:

"Congressman Fauntroy said he is deeply concerned that minimum standards of fairness and decency have been violated repeatedly by the Department of Justice in instances of Haitians seeking political refuge in the United States.

Fauntroy said, "It's time for this nation to begin and evenhanded, fair process toward developing and implementing refugee policy."

CONGRESSIONAL BLACK CAUCUS STATEMENT ON UNITED STATES RELATIONSHIPS WITH HAITI AND HAITIAN ASYLUM CLAIMANTS FOR THE HONORABLE CARDISS COLLINS:

"The Congressional Black Caucus strongly urges the Department of Justice, through its Immigration and Naturalization Service, to adhere to this Nation's fundamental tradition of equal protection for all persons under law by granting work authorization and genuine due process to Haitians seeking political asylum in our country. The Caucus must stand firm in its insistence that United States human rights and refugee policy be administered on an evenhanded basis so that no government activity or decision may be viewed as tainted with race, class or ideological prejudice. However, our information reveals that these minimum standards of fairness and decency have been violated repeatedly by the Department of Justice in instances of Haitians seeking political refuge in the United States."

UNITED STATES SENATOR, RICHARD STONE, FLORIDA, SEPTEMBER 1979:

"Stone, who has accused the Carter Administration of "racism" in its policies towards the Haitians, got the commitment for hearings in Florida from U.S. Senator Edward Kennedy, Chairman of the Senate Judiciary Committee. That is the Senate Committee that handles immigration and refugee issues."

AMERICAN COUNCIL OF VOLUNTARY AGENCIES FOR FOREIGN SERVICE SEPTEMBER 26, 1979, AMERICAN COUNCIL FOR NATIONALITIES SERVICES, AMERICAN FUND FOR CZECHOSLOVAK REFUGEES, AMERICAN JEWISH JOINT DISTRIBUTION COMMITTEE, CHURCH WORLD SERVICE, HIAS, INTERNATIONAL RESCUE COMMITTEE, LUTHERAN IMMIGRATION AND REFUGEE SERVICE, MIGRATION AND REFUGEE SERVICE/U.S., CATHOLIC CONFERENCE, TOLSTOY FOUNDATION, WORLD RELIEF:

"To President Jimmy Carter, in keeping with our country's compassionate concern for refugees, we strongly urge that you exercise your power, through the Attorney General, to grant parole (Section 212(d) (5) of the Immigration and Nationality Act) to all Haitians who arrived in the United States on or before June 30, 1979 and have applied for asylum. For all those Haitians who have arrived after that date and seek asylum we urge fair and humane treatment under the law including employment authorization while their asylum applications are being considered."

SOUTHEASTERN YEARLY MEETING OF THE RELIGIOUS SOCIETY OF FRIENDS:

"To President Jimmy Carter: Southeastern Yearly Meeting of the Religious Society of Friends, in our annual meeting, calls upon President Carter to grant asylum to the Haitian Refugees who are seeking it in the United States.

We are dismayed that the Government has singled out for rejection these men, women, and children who have risked their lives to flee their own homeland in the hope of freedom and safety in our country, and believe it is time to end this hurtful discrimination."

"To Congressional Delegates from Florida and Georgia: Southeastern Yearly Meeting of the Religious Society of Friends, in its annual sessions, requests the United States Congress and the Administration to suspend all direct aid to the Government of Haiti until the state of human rights in Haiti reaches the level which will sustain our Haitian brothers and sisters in freedom and security."

THE DADE COUNTY COMMISSIONERS AUGUST 24, 1977 VOTED UNIMOUSLY TO ENDORSE THE RESOLUTION BROUGHT BEFORE THEM BY LOCAL CHURCH GROUPS WHICH STATED:

"That the appropriate agencies at the Federal, State and County level be hereby urged through this Commission to grant the following simple, basic Human Rights to the undocumented Haitian Nationals in South Florida.

- The right to seek and hold full time employment during the pendency of their Legal Pursuit
- The right to receive basic care and maintenance from State, Health and Rehabilitative Services
- The immediate release from custody without bond, of any undocumented Haitian Nationals seeking political asylum and for whom incarceration is due purely to INS classification."

VERNON E. JORDAN, JR., PRESIDENT OF THE NATIONAL URBAN LEAGUE IN A STATEMENT ISSUED JUNE 22, 1978 CALLED ON THE FEDERAL GOVERNMENT TO GIVE EQUAL TREATMENT TO HAITIAN REFUGEES SEEKING ASYLUM IN THE UNITED STATES. IN HIS STATEMENT, RELEASED BY THE LEAGUE'S HEADQUARTERS IN NEW YORK CITY, MR. JORDAN SAID:

"These Haitians are clearly as much political refugees as were the Hungarians, the Cubans and the Vietnamese. For them to be denied access to due process in the effort to prove their status raises the question of whether the color of their skin makes them somehow different in the eyes of our government? This is not a pleasant thought, but the Haitian refugee problem has existed since 1972 and it has only been within the last few months and under pressure from religious, civil rights, social services agencies, labor, and community groups, that the government has moved so far as to end the odious practice of forcing these refugees to either post bonds ranging upward to \$1,000, or face being sent to jail. The humane and proper action is for the government to immediately grant political asylum to these refugees so that they too can build lives for themselves."

SOUTHEAST FLORIDA FEDERATION OF THE SOUTHEAST COUNCIL OF THE UNION OF AMERICAN HEBREW CONGREGATION:

"Urged the administration in Washington and Congress to take the following actions: To grant full political asylum hearings and the rights to be heard to all Haitian Nationals seeking asylum in the country and take other measures which would ameliorate the situation."

THE CORAL GABLES DEMOCRATIC WOMEN'S CLUB, DADE COUNTY, REGION VIII:

"Urges our Congressmen and the President to instruct the Immigration and Naturalization Service to provide full and open hearings for Haitians fleeing to this country and to classify them as political refugees except in cases where this is clearly not appropriate.

Be it also resolved that the D.W.C. of Florida urge President Carter to use all appropriate means to give full human rights to those persons of Haiti.

THE ARCHDIOCESE OF MIAMI, JANUARY 1, 1979:

"To the President: From our study of the situation in South Florida, we believe action is needed in your Administration and, if necessary, the Congress on three fronts:

- (1) Laws and regulations of the United States Government regarding the processing of foreign nationals claiming to be political exiles who seek to enter the United States as a country of first asylum.
- (2) Action by the United States Government to assist local communities when refugees enter to meet social needs of the new arrivals until they have been processed and settled.

- (3) Action by the United States Government with the Government of the Bahamas and the Government of Haiti to reduce the need for these people to uproot themselves and seek a new home where everything is alien and strange.

IRA KURZBAN, ATTORNEY FOR THE HAITIAN REFUGEE CENTER, SAYS:

"District Court Judge William Hoovler issued a preliminary injunction on August 29, 1979, requiring the INS re-issue thousands of work authorizations to Haitian refugees living in Florida. The Judge found that these work authorizations had been illegally revoked by INS in a manner which "afforded the Haitian aliens no hearing and no procedural rights." The Judge also found that as a result of INS' conduct, 'Haitian aliens in South Florida have suffered and will continue to suffer malnutrition, substandard and overcrowded housing, mental and physical illness and the breakdown of the family unit...' The Judge found that Haitian refugees needed work authorizations so that they could obtain 'the most basic necessities of life.' We will now monitor the activities of INS to make sure that the work authorizations are reissued to Haitian refugees."

PETER A. SCHEY, DIRECTOR OF THE NATIONAL CENTER FOR IMMIGRANTS' RIGHTS AND LEAD COUNSEL IN THE FEDERAL CASE WHICH HAS STOPPED DEPORTATIONS OF HAITIAN REFUGEES, SAYS:

"Never before have I seen such a massive program of government misconduct on the part of the Immigration Service as in their so-called 'Haitian Program'. Instead of carefully examining the claims of Haitian refugees, a top INS official in Washington D.C. issued a memorandum calling for the mass 'expulsion' of all Haitian boatpeople now living in the United States. INS agents have been instructed that this process 'cannot be delayed in any manner or in any way.' Fifty percent of all Haitians whose asylum claims have been denied were never given an interview by INS even though the law requires that such an interview take place. INS has violated almost every rule in the book in their efforts to speed up their 'Haitian Program.' While saving refugees in the seas of Southeast Asia, the U.S. Government is creating refugees in the Caribbean through their continued support of the Jean Claude Duvalier regime. And, We will go all the way to the Supreme Court on this case if necessary. And we will win."

YOUR SUPPORT IS NEEDED--NOW IS THE TIME TO ACT!

Thousands of Americans, particularly in Florida, have demonstrated years of commitments to the cause of asylum for Haitian refugees. Southern Florida U.S. Representatives, as well as many state officials and concerned citizens urge asylum for the the refugees. Strong support continues to come from the Congressional Black Caucus; the Haitian Refugee Project; The Haitian Fathers, Brooklyn, New York; American Committee for the Protection of the Foreign Born; National Emergency Civil Liberties Committee; National Alliance of Postal and Federal Employees; National Urban League; Archdiocese of Miami; American Council for Voluntary Agencies; World Council of Churches; NAACP of Florida; Church Women United; Haitian American Community Association of Dade County, Inc; and Bayard Rustin of the A. Philip Randolph Institute.

Your help is needed. Please contact President Carter who can grant asylum and your U.S. Legislators urging their support for asylum for the Haitian refugees by November 24, our Thanksgiving celebrated by our first boat people, the Pilgrims.

SPONSOR: CHURCH WORLD SERVICE, NEW YORK  
CHRISTIAN COMMUNITY SERVICE AGENCY, INC, MIAMI, FLORIDA