

The logo for the New York City Bar, featuring the text "NEW YORK CITY BAR" in a serif font, centered between two horizontal blue bars.

NEW YORK
CITY BAR

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November 20, 2013

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear President Obama:

The Association of the Bar of the City of New York and its Immigration and Nationality Law Committee call upon your Administration to designate the Philippines for Temporary Protected Status under Section 244 of the Immigration and Nationality Act. On November 8th, Typhoon Haiyan, the most powerful tropical storm ever recorded, struck the Philippines, producing an unprecedented humanitarian calamity in a country that just weeks earlier, had been hit by a magnitude 7.1 earthquake. With record winds and tsunami-like waves, the typhoon swept away entire coastal communities and has devastated the region's main city.

More than 10 million people have been affected by the storm. With thousands reported dead and injured, the grim toll of the typhoon's devastation will certainly rise as search and rescue efforts continue and more remote areas currently cut off from communication are reached. Currently, an estimated four million people have been displaced across the country in the storm's aftermath. Even more distressing are the debilitating and potentially fatal diseases now threatening due to the breakdown in sanitation, lack of access to fresh drinking water, and delayed emergency medical response. Medical aid groups have expressed serious alarm over the risk of tetanus infections to injured survivors, and illnesses such as cholera, malaria, typhoid fever, dysentery and even polio could form what doctors fear is the disaster's second wave.

It is clear that the Philippines qualifies under the criteria contained in the statute, e.g., the occurrence of a natural calamity which makes it unsafe for citizens to return. In the immediate past, the Department of Homeland Security has acted quickly to confer Temporary Protected Status in situations where such catastrophes have occurred. Haiti is only the most recent instance of such a designation. El Salvador and Honduras also serve as older examples.

A number of public policy objectives would be addressed if Filipino nationals now in the United States could benefit from Temporary Protected Status. The continued safety of this

group, from a humanitarian perspective, is compelling. But an equally significant consideration behind designating the Philippines is the continued need to fund relief efforts on behalf of the individuals who are trapped there. The United States has been at the forefront of this relief effort, committing an initial \$20 million in humanitarian assistance. Other states and NGO's have joined suit. But aid is needed now not merely for the clean-up; it is also vitally needed to stave off, and treat if contracted, the medical complications flowing from waterborne diseases.

A self-evident source of such funding would flow from remittances by Filipino nationals here in the United States as of the date of the typhoon who could be granted employment authorization pursuant to their TPS status. Currently, remittances from overseas Filipinos equal nearly 10 percent of the Philippines' Gross Domestic Product. TPS therefore is not in this instance merely a device for protecting a group of nationals who are physically present in the United States from exposure to the adverse humanitarian effects of being returned to a devastated homeland. It is also a way to put humanitarian principles to work by empowering Filipino nationals temporarily living in the United States to aid in the recovery of their own homeland and to alleviate the tragic consequences befalling the Philippines.

Thank you for your consideration of this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Carey R. Dunne", with a long horizontal flourish extending to the right.

Carey R. Dunne

cc: Ambassador Jose L. Cuisia, Jr.
Embassy of the Philippines to the United States
1600 Massachusetts Ave NW
Washington, DC 20036

Hon. Rand Beers
Acting Secretary of Homeland Security
Washington, DC 20528