



This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers [here](#) or use the "Reprints" tool that appears next to any article. Visit [www.nytreprints.com](#) for samples and additional information. [Order a reprint of this article now.](#)

---

January 16, 2010

## Haitians Illegally in U.S. Given Protected Status

By [JULIA PRESTON](#)

The Obama administration extended a special [immigration](#) status on Friday to Haitians living illegally in the United States that protects them from deportation for 18 months and allows them to work here.

Calling the aftermath of the earthquake “a disaster of historic proportions,” the secretary of [homeland security, Janet Napolitano, said she was granting the designation](#), known as temporary protected status, for Haitian immigrants because their safety would be at risk if they were deported.

Administration officials said the special status would cover at least 100,000 Haitians believed to be living in the United States illegally, as well as about 30,000 Haitians who had been ordered deported. Haitians who receive the temporary status will be able to obtain documents allowing them to live here and work legally.

The administration’s decision followed a rising chorus of calls for the temporary status after the earthquake on Tuesday. On Friday, 80 representatives and 18 senators, including Democrats and Republicans, sent appeals to the administration to grant the status, as did the conference of Roman Catholic bishops.

Ms. Napolitano said the protection would extend only to Haitians who were already in the United States as of Tuesday. Until now, officials had hesitated to grant the temporary status for fear it would encourage a new exodus of desperate Haitians by boat toward South Florida.

“Attempting to leave [Haiti](#) now will only bring more hardship to the Haitian people and nation,” Ms. Napolitano said Friday. She said Haitians who tried to travel illegally to the United States after this week would be sent back to Haiti.

The administration's move drew praise from members of Congress. "To send Haitians back to that country right now would be nothing short of inhumane," said Senator [Charles E. Schumer](#), Democrat of New York, chairman of the Senate Judiciary subcommittee on immigration.

Representative Lincoln Diaz-Balart, Republican of Florida, lauded the administration, saying he had requested the status for Haitians in a telephone conversation on Friday with Secretary of State [Hillary Rodham Clinton](#). State Department officials took part in the decision by providing their assessment of the scope of the disaster.

Refugee advocates were elated. Cheryl Little, executive director of the Florida Immigrant Advocacy Center in Miami, said she and other advocates had contended that allowing Haitians who lacked legal status to work in this country could help prevent a new wave of boat people because the immigrants would send money back to needy relatives in Haiti, giving them resources to rebuild.

On Wednesday Ms. Napolitano [suspended deportations of Haitians](#).

She can grant temporary protected status to immigrants in the United States from countries that have suffered a catastrophic war or "an environmental disaster" that would make it dangerous to deport their citizens back home. Although the status is granted originally for a short period, in practice it has been renewed for years for citizens of some countries. Immigrants from Honduras and Nicaragua have enjoyed the status since 1999, after Hurricane Mitch battered their countries. El Salvador was added to the list in 2001. Somalia and Sudan were added more recently.

The Haitian government and refugee advocates have been asking for protected status since 2008, when four major [hurricanes](#) killed about 800 people. The Bush administration decided not to grant the request. The Obama administration continued to deport Haitians last year, but officials said that those cases mainly involved people who had committed crimes in the United States.

Some groups that have opposed protected status for Haitians changed their views after seeing the destruction in Haiti. Dan Stein, president of the Federation for American Immigration Reform, called Thursday for the protection for Haitians. But he said officials should also cancel the status for immigrants from El Salvador and some other countries.

[Copyright 2010 The New York Times Company](#)

[Privacy Policy](#) | [Terms of Service](#) | [Search](#) | [Corrections](#) | [RSS](#) | [First Look](#) | [Help](#) | [Contact Us](#) | [Work for Us](#) | [Site Map](#)