

Press Release

May 17, 2011

Contact: DHS Press Office, (202) 282-8010

SECRETARY NAPOLITANO ANNOUNCES THE EXTENSION OF TEMPORARY PROTECTED STATUS FOR HAITI BENEFICIARIES

WASHINGTON—Secretary of Homeland Security Janet Napolitano today announced the extension of Temporary Protected Status (TPS) for Haiti beneficiaries. This extension will be effective July 23, 2011 and is for an additional 18 months. It will allow these TPS beneficiaries to remain in the United States through Jan. 22, 2013. The designation of TPS for eligible Haitian nationals who had continuously resided in the United States since Jan. 12, 2010 was originally announced by Secretary Napolitano on Jan. 15, 2010 and became effective on Jan. 21, 2010. Currently, approximately 48,000 Haitian nationals with TPS reside in the United States.

“In the extended aftermath of the devastating earthquakes in Haiti, the United States has remained fully committed to upholding our responsibility to assist individuals affected by this tragedy by using tools available under the law,” said Secretary Napolitano.

“Providing a temporary refuge for Haitian nationals who are currently in the United States and whose personal safety would be endangered by returning to Haiti is part of this administration’s continuing efforts to support Haiti’s recovery.”

Secretary Napolitano’s action will extend TPS for eligible Haitian beneficiaries for 18 months to allow these TPS beneficiaries to remain in the United States through Jan. 22, 2013.

In addition, Secretary Napolitano is re-designating Haiti for TPS—meaning that eligible Haitian nationals who have continuously resided in the United States since Jan. 12, 2011, will also be able to obtain TPS through Jan. 22, 2013. Under the original designation, TPS applicants needed to show that they had continuously resided in the United States since Jan. 12, 2010, but the re-designation now permits eligible individuals who arrived up to one year after the earthquake in Haiti to receive the protection of TPS. Many of these individuals were authorized to enter the United States immediately after the earthquake on temporary visas, humanitarian parole and through other immigration measures.

This re-designation of TPS applies only to those Haitians who have continuously resided in the United States since Jan. 12, 2011. Haitians who are not currently in the United States will not qualify for TPS under this new TPS announcement and should not attempt

to enter the United States illegally to try to take advantage of this benefit. Both the extension and re-designation are effective July 23, 2011. No individual who arrived in the United States after Jan. 12, 2011, will be eligible for TPS.

A person who has been convicted of a felony or two or more misdemeanors in the United States, or is subject to one of the criminal, or security-related bars to admissibility under immigration law, is not eligible for TPS. In addition, an applicant cannot obtain TPS if he or she is subject to one of the mandatory bars to asylum, such as committing a particularly serious crime that makes the person a danger to the U.S. community or persecuting others.

Haitians who attempt to enter the United States now or in the future will not be granted TPS. DHS has been repatriating Haitians seeking to illegally enter the United States since the earthquake in 2010. The U.S. Coast Guard (USCG) has been intercepting Haitians at sea and returning Haitians who have attempted to enter the United States illegally and who do not meet U.S. protection screening criteria; U.S. Customs and Border Protection has been removing inadmissible Haitians who have arrived at U.S. ports of entry consistent with U.S. policy; and—since January 2011—U.S. Immigration and Customs and Enforcement (ICE) has removed certain Haitians who have been convicted of certain criminal offenses (or who pose a threat to U.S. national security) and have been issued a final order of removal

ICE is prepared to aggressively investigate and present for prosecution those who seek to defraud the U.S. government in attempt to gain Temporary Protected Status (TPS) or engage in immigration benefit fraud as the result of the expansion of this program. ICE will also pursue human smugglers whose only goals are to profit at the expense of others.

In addition to the extension and re-designation of TPS for Haiti, DHS has taken a number of other actions to provide humanitarian assistance to Haitian nationals in the United States. DHS will soon publish a notice in the Federal Register announcing the continued suspension of regulatory requirements related to certain F-1 students who have suffered severe economic hardship as a result of the earthquake in Haiti. Originally announced in September 2010, the continued suspension of these requirements through Jan. 22, 2013, allows eligible F-1 students to obtain employment authorization, to work an increased number of hours during the school term, and if necessary, to reduce their course load while continuing to maintain their F-1 student status. F-1 students granted employment authorization will be deemed to be engaged in a full course of study if they meet the minimum course load requirements.

Haitians in the United States who are eligible to apply for TPS should go to www.uscis.gov/tps or call USCIS toll-free at 1-800-375-5283.

###