

# TEMPORARY PROTECTED STATUS (TPS)

## WHAT IS TEMPORARY PROTECTED STATUS?

TPS is a temporary immigration status given to people, who are in the United States but are from a country that is currently suffering from a temporary serious problem like a natural disaster or armed conflict, which make it unsafe to return to that country. The U.S. government must specifically designate a country for TPS. With TPS, a person can temporarily live and work in the United States as well as travel abroad with permission. TPS, by itself, does not lead to a “green card”.

## WHO IS ELIGIBLE FOR HAITIAN TPS?

Because of the devastating earthquake in Haiti, Haitians can now apply for TPS, if they:

1. are a Haitian national or a person who last habitually resided in Haiti;
2. continuously resided in the U.S. since **January 12, 2010**;
3. have remained physically present in the U.S. since **January 21, 2010**;
4. meet other immigration admissibility requirements; and
5. fully complete the TPS application process.

## WHAT DO I NEED TO APPLY?

To apply for TPS, you must submit the following to the U.S. Citizenship and Immigration Services on or before **July 20, 2010**:

1. Proof of Haitian citizenship or nationality *i.e. birth certificate, passport, national identity card*
2. Proof of residence and presence in the U.S. *i.e. passport stamps, bills, pay stubs, school records*
3. TPS application (Form I-821)
4. Employment authorization application (Form I-765) *even if you do not want work authorization*
5. Two color passport-style photographs
6. Filing Fee of \$470. If you are under 14 or over 65 the fee is \$130. *Fees can be waived.*

## WHO IS NOT ELIGIBLE FOR HAITIAN TPS?

Not every Haitian citizen or national currently in the U.S. is eligible for TPS. Certain immigration laws still apply for TPS applicants including laws denying an immigration status because of a criminal conviction or involvement in the persecution of others. A waiver is available for some grounds of inadmissibility. (Form I-601) **Warning!** If you have ever been *arrested*, you should obtain the advice of an immigration attorney before filing for TPS.

## FOR HOW LONG WILL I HAVE TPS?

Haitian TPS will remain in effect until **July 22, 2011**. If the U.S. government determines the conditions in Haiti have not improved enough to allow people to return safely, they can extend TPS beyond July 22, 2011 and beneficiaries will have to re-register. When the government terminates Haitian TPS, beneficiaries will return to the same immigration status they had before TPS (unless that status has since expired or been terminated) or to any other status they may have obtained while registered for TPS.

## WHERE CAN I GET MORE INFORMATION?

Contact your local legal service provider. A number of organizations are hosting immigration clinics; visit [www.miracoalition.org](http://www.miracoalition.org) for a calendar of clinics throughout the state.