

Temporary Protected Status for Haitian Nationals

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On January 21, 2010, United States Secretary of Homeland Security (Secretary) designated Haiti for Temporary Protected Status (TPS) relief in response to the severe impact and aftermath of the earthquake that struck near the country's capital on January 12, 2010.

TPS Generally. The Secretary is authorized to extend TPS to nations that are "experiencing ongoing armed conflict, an environmental disaster, or 'extraordinary and temporary conditions.'" TPS is a relief that allows nationals of the affected country to apply for temporary stay and work authorization in the United States. TPS is not a measure that leads to legal permanent residence in the United States but foreign nationals in this status are not barred from pursuing other immigration options that may be available to them under the law.

TPS for Haitian Nationals: Duration. TPS for Haitian nationals will be effective for 18 months beginning **January 21, 2010 through July 22, 2011**. Whether this period will be extended beyond the 18 months will be determined closer to the expiration of this timeframe. Once the TPS designation expires, the foreign nationals in TPS will return to the status held prior to the granting of TPS or will be in a status that the foreign nationals will have secured in the interim.

TPS for Haitian Nationals: Eligibility and Application Process. TPS is available to nationals of Haiti who have "continuously resided" in the United States since January 12, 2010, have been "continuously physically present" in the United States since January 21, 2010, and who meet general immigration law eligibility requirements. It is important to note that Haitian nationals who enter the United States after January 12, 2010 will not be eligible for TPS relief.

Eligible individuals may apply for TPS within the 180-day registration period which began on January 21, 2010, and will remain in effect until July 20, 2010. Foreign nationals who seek to apply for TPS must file an Application for Temporary Protected Status on Form I-821 together with an Application for Employment Authorization on Form I-765 along with applicable fees (fees may be waived for qualified applicants). For additional details on the application process please visit the [U.S. Citizenship and Immigration Services website](#).