

# NEW MEXICO IMMIGRATION LAWYER BLOG

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## Temporary Protected Status Granted for Haiti

The Department of Homeland Security has announced that Haiti has been designated for Temporary Protected Status (TPS). The Secretary of Homeland Security is authorized to make such a designation when it is found that the state in question is experiencing ongoing armed conflict, extraordinary and temporary conditions or as in the case of Haiti, environmental disaster.

The Temporary Protected Status is for a period of 18 months. Individual nationals of Haiti are eligible. In addition, aliens having no nationality who habitually resided in Haiti are also eligible. To be eligible, the individual must have been continuously present and continually residing in the United States as of January 12, 2010, the date of the earthquake in Haiti.

Eligible individuals have 180 days to register for Temporary Protected Status. Those eligible may also apply for employment and travel authorization. TPS will allow Haitian nationals and other qualified aliens to work to support themselves and their families for 18 months or until the Secretary of Homeland Security determines that it is safe to return home. Temporary Protected Status is for the 18 month period only. It does not lead to the acquisition of permanent resident (green card). Neither does it prevent permanent residence if the individual is otherwise eligible for a green card.

It is important to apply within the 180 day registration period. Failure to apply within the 180 day period will likely bar Temporary Protected Status. This could cause significant and unnecessary harm to Haitian nationals and their families. To obtain more information on Temporary Protected Status as well as your eligibility, you can visit the USCIS site. If you are in New Mexico, you can contact us at Collins & Collins, P.C.

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