



TEMPORARY PROTECTED STATUS EXTENDED FOR HAITIANS

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What is Temporary Protected Status (TPS)?

TPS is a mechanism by which the Department of Homeland Security (DHS) allows nationals of specific countries who are already in the United States to stay for a determined period because of special conditions preventing them temporarily from returning safely to their home countries.

DHS extended and redesignated Haiti for TPS for a period of 18 months. Individuals who meet the eligibility requirements listed below may apply for TPS once the TPS notice is published in the Federal Register. As of this writing, the TPS extension for Haitians has not been published in the Federal Register. United States Citizenship and Immigration Services (USCIS) is the federal agency under the DHS that processes applications for TPS.

Date of Designation for Haiti?¹

TPS for Haiti was extended on December 5, 2022, for an additional period of 18 months, from February 4, 2023, through August 3, 2024. DHS also redesignated Haiti for TPS, so Haitians who were already residing in the United States as of November 6, 2022, are eligible to apply for TPS.

What are the TPS eligibility requirements?²

Haitian nationals who have been physically and continuously present in the United States since November 6, 2022, are eligible for TPS. Those who entered the United States after this date are not eligible.

- Eligibility requirements:
 - File the application during the registration period;
 - Have continuously resided in the United States since a date specified by DHS;
 - Show continuous physical presence in the United States since the effective date of designation;
 - Have not been convicted of a felony or two or more misdemeanors in the United States;
 - Not subject to certain bars to asylum or inadmissible for certain reasons.

What are the benefits of TPS?

TPS holders from Haiti can stay in the United States for 18 months in a legal status. TPS holders are also eligible for a temporary work permit, called the employment authorization document (EAD), and for travel authorization. All applications need to be filed with USCIS.

Can someone with an F-1 status apply for TPS?

Yes. Haitian nationals who hold a nonimmigrant status, such as F-1 status, may apply for TPS. An F-1 student may hold both F-1 and TPS statuses so long as they comply with the terms of both statuses. F-1 students must continue to meet specific educational and work requirements to be in compliance with their

F-1 status. Penn State students considering TPS should contact [Penn State Global's International Student and Scholar Advising \(ISSA\)](#).

Can a TPS holder apply for Asylum?

Yes, TPS holders may apply for Asylum. Haitian nationals may be eligible for Asylum, which is a protection offered to individuals that are physically present in the United States, and who are unable or unwilling to return to their home country because of fear of persecution on account of their race, religion, nationality, political opinion, or membership in a particular social group. An asylum application must be filed within one-year from the date of last arrival to the United States. However, having TPS status may serve as an exception to this deadline.

Does TPS provide an independent pathway to a green card?

No, TPS does not provide a direct pathway to Lawful Permanent Resident status (Green Card), but TPS holders who are otherwise eligible for other immigration options may apply for permanent residence based on the relevant eligibility requirements, such as a family-based or an employment-based pathways to a Green Card.

What are the documents needed for TPS applications?

- Immigration [Form I-821](#) (Note: ALL eligible individuals must file their own, separate form. Fees and waivers may apply.)
- Proof of identity and Haitian nationality such as identity documents like passports, certified translations of birth certificates etc.
- Proof of arrival to the U.S. by the designated date (see above) such as passport stamps, [I-94 form](#), etc.
- Proof of continuous physical presence in the U.S. such as rent, utilities receipts, work records etc.

What are TPS holders' responsibilities?

Update their addresses with the USCIS within 10 days of moving to a new residence by submitting the [AR-11 form](#) online, or by mail.

Resources:

[PSU Office of Global Programs](#)

[PSU Student Legal Services](#)

[USCIS TPS for Haitians](#)

[USCIS on TPS](#)

[USCIS FAQ on TPS](#)

¹ <https://www.dhs.gov/news/2022/12/05/secretary-mayorkas-extends-and-re-designates-temporary-protected-status-haiti-18>

² <https://www.uscis.gov/humanitarian/temporary-protected-status>