



Immigration Update Pertaining to Haiti and Temporary Protected Status (TPS)

What is Temporary Protected Status (TPS)?

- Temporary Protected Status is an immigration status available to some people from countries the Secretary of the Department of Homeland Security (DHS) has designated as “unsafe to return to” for various reasons, such as civil war, political unrest, natural disaster, etc.
- TPS is a temporary immigration status that may be renewed for as long as the TPS designation is in place. A TPS designation may be made for 6, 12 or 18 months at a time. Nationals of the country designated for TPS must register during that time.
- At least 60 days before the expiration of the TPS designation, DHS must decide whether to extend or terminate the designation, based on conditions in that particular country. If TPS is extended, those who were granted TPS must re-register under that extension. Some countries have been designated for TPS for decades.
- DHS may re-designate a country for TPS based on new events that make that country unsafe to return to.
- If you are granted TPS, you:
 - May not be deported from the United States;
 - Can obtain an employment authorization card and a Social Security number;
 - Can obtain permission to travel abroad and return to the United States.
- To be eligible for TPS, you must meet the following requirements:
 - Be a national of the designated country (or a person without nationality who last habitually resided in that country);
 - Have been continuously physically present in the United States since a specified date;
 - Have continuously maintained a residence in the United States since a specified date;
 - File during the initial registration or re-registration period.

Has Haiti been designated for TPS?

- Haiti was originally designated for TPS after the January 10, 2010 earthquake and redesignated on May 19, 2011. Haitian nationals who were continuously physically present in the United States since **January 12, 2011** were eligible to apply. This original designation and redesignation have been extended for years. On November 10, 2022, it was announced that Haitians granted TPS under the original designation and the May 19, 2011 redesignation, and who have timely re-registered under every subsequent extension, will have their TPS status automatically extended through June 30, 2024.
- Haiti was redesignated for TPS on August 3, 2021 for 18 months, until February 3, 2023. Haitian nationals who have been continuously residing in the United States since **July 29, 2021** are eligible to apply and must do so before February 3, 2023. On December 5, 2022, DHS announced that this designation will be extended for 18 months, until August 3, 2024. The re-registration period has not been announced yet.
- On December 5, 2022, DHS also announced that Haiti will be redesignated for TPS for 18 months, until August 3, 2024. Haitian nationals who have been continuously residing in the

United States since **November 6, 2022** are eligible to apply and must do so before August 3, 2024.

When can I apply for TPS?

- If you have been granted TPS status under the 2011 designation and have maintained that status, you do not have to re-register for TPS because it has been automatically extended through June 30, 2024. However, as that designation was sought to be terminated by the Trump Administration and that termination is being litigated in court, you may want to register under the 2021 or the 2022 redesignations, which are not subject to litigation. To register under the 2021 redesignation, you must prove that you have been continuously residing in the United States since July 29, 2021 and you must apply before February 3, 2023. To register under the 2022 redesignation, you must prove that you have been continuously residing in the United States since November 6, 2022 and you must apply before August 3, 2024 – this registration process has not started yet.
- If you have been granted TPS under the 2021 redesignation, you will have to re-register under the extension announced on December 5, 2022. That re-registration period has not started yet.
- If you have NOT been granted TPS under previous designations and you have continuously resided in the United States since November 6, 2022, you can register when the registration period is announced and until August 3, 2024. That registration period has not started yet.
- To confirm the start of these registration and re-registration processes, please call the New York State New Americans Hotline - a hotline that provides free information and referrals on immigration matters - at 800-566-7636, Monday through Friday, between 9:00 a.m. and 8:00 p.m.

How do I apply?

We recommend consulting a lawyer to determine if you are eligible to apply for TPS and to learn more about what documents you need to include in your application.

For more information about TPS and referrals to free legal service providers, you can call the New Americans Hotline at (800) 566-7636, Monday through Friday, between 9:00 a.m. and 8:00 p.m.

For additional information, you can also contact Action NYC at (800) 354-0365 – Monday through Friday, between 9:00 a.m. and 6:00 p.m. – to connect with City-funded, free and safe immigration legal help.

As of January 1, 2023