



## Haitian TPS– How to Register

Are you a Haitian national in the United States who cannot return to Haiti due to the January 12<sup>th</sup> Earthquake? If so, you may be eligible to apply for Temporary Protected Status or “TPS.” TPS is a designation by the Secretary of Homeland Security recognizing that nationals of certain countries are unable to return home safely due to temporary conditions. These temporary conditions include: ongoing armed conflict, environmental disaster or other extraordinary circumstances. TPS allows beneficiaries to remain in the United States and work legally for a defined period. On January 15th, Homeland Secretary Napolitano designated Haiti for TPS.

To qualify for TPS under this recent designation you must:

Be a national of Haiti, or be someone with no nationality who last habitually resided in Haiti, and, Have continuously resided in the United States since January 12, 2010,

You must NOT have been convicted in the United States of a felony or of two or more misdemeanors,

You must also have been continuously physically present in the United States since January 21, 2010, the date of the Federal Register Notice publication, and also meet certain immigrant admissibility requirements and TPS eligibility requirements as required by law; and

Lastly, be sure to complete all TPS application procedures as described in the Federal Register notice announcing TPS for Haiti.

The registration period for TPS will start on January 21, 2010, and continue for 180-days from that date. You must file during this 180-day registration period and your application package must be postmarked on or before the last day of the registration period.

To register you must file both an Application for Temporary Protected Status (Form I-821) and an Application for Employment Authorization (Form I-765), with any required fees or fee waiver requests.

Even if you do not want an Employment Authorization Document, you must still file a Form I-765, but you are not required to pay the fee. This form is required from all TPS applicants for data collection purposes.

All of these forms are available by calling the toll-free USCIS Forms Hotline (800) 870-3676 or by selecting the Forms tab at [uscis.gov](http://uscis.gov).

To see what filing and biometrics fees apply to you, please see the chart on the ‘TPS-Haiti’ page under our ‘Temporary Protected Status’ section on the [uscis.gov](http://uscis.gov) website.

If you cannot afford to pay the filing and/or biometrics fees, you may submit a fee waiver request with proper documentation demonstrating your inability to pay. For more information about submitting a fee waiver, please see our Q&A link on the TPS- Haiti webpage at [uscis.gov](http://uscis.gov).

In addition to submitting your Forms I-821 and I-765, you must also submit two color passport-style photographs of yourself and evidence that you meet the basic eligibility requirements for TPS.

To qualify for TPS, you need to prove that you are a national of Haiti or a person with no nationality who last habitually resided in Haiti. You can prove this by submitting a copy of your birth certificate showing you were born in Haiti or a copy of your Haitian passport, even if it has expired.

If you do not have a Haitian passport and are unable to obtain your birth certificate from Haiti due to the devastation, you will need to submit secondary evidence. This secondary evidence can be any other documents you already have in your possession from Haiti, such as your baptismal certificate or school records from Haiti. If you have no documentation at all, you can submit sworn affidavits from close friends and family members providing the specific details of the date and place of your birth and how they know this information.

If you are stateless and have no nationality, and you last habitually resided in Haiti, you must demonstrate this by submitting a statement explaining why you are stateless and any documentation you may have from Haiti showing that you last habitually resided there. If that documentation is not available, you may submit sworn affidavits from close friends and family members who have direct knowledge of your residence in Haiti.

If any document is not in English, you must also submit an English translation. The person translating the document(s) must certify that he/she is competent in English and the foreign language from which the document is being translated.

Evidence should also indicate that you have continuously resided in the United States since January 12, 2010 and that you have been continuously present in the United States since January 21, 2010, the date of the Federal Register Notice designating Haiti for TPS was published.

Examples of evidence proving continuous residence and continuous physical presence can include, but are not limited to, letters from your current and former employers showing where you have worked, rent receipts, payroll stubs, bank statements, school records, or any other documents you may have showing your continuous physical presence and residence in the United States.

The address for submitting your application may be found on the TPS-Haiti webpage at [uscis.gov](http://uscis.gov) or on the Haiti TPS federal register notice.

Once you file your application, it will go through several stages – intake, ASC appointment and biometrics scheduling, and adjudication. During the intake process, your application will be reviewed to ensure that it is complete. If it is, you will receive a notice with your receipt number. It is very important for you to keep your notice, since you will need to refer to this receipt number for future case inquiries. Shortly after intake, you will receive another notice telling you when and where to appear for your biometrics appointment at an Application Support Center, also known as an ASC. If you can't make your scheduled ASC appointment due to an unavoidable conflict, you can ask us to reschedule. However, please be aware that this may result in significant processing delays for your application as well as a delay in receiving your new ASC appointment notice.

After intake and biometrics, your case will move to the adjudications stage, where we will process your application. If you applied for an Employment Authorization Document (Form I-765), you will receive a decision on that first. We will then issue a separate decision on your TPS application a few months later. Please be aware that some unauthorized practitioners may try to take advantage of you by claiming they can file TPS forms. These same individuals may ask that you pay them to file such forms. We want to

ensure that all potential TPS applicants know how to obtain legitimate, accurate legal advice and assistance.

A list of accredited representatives and free or low-cost legal providers is available on the USCIS website under Resources/Finding Legal Advice.

We hope you will use this resource.

Additional information on Haitian temporary protected status is available at [www.uscis.gov/haitianeathquake](http://www.uscis.gov/haitianeathquake) and on the Haiti TPS page at [uscis.gov](http://uscis.gov).

There you can find necessary forms, filing tips, an overview of TPS requirements and the registration process, and general information on other potential relief options if you are not able to seek TPS.

You may also contact the USCIS National Customer Service Center at: 1-800-375-5283 or 1-800-767-1833 (TTY).

We hope you find this information helpful. The Department of Homeland Security continues to extend sympathy for our Haitian neighbors and support the worldwide relief effort underway in every way we can.