



## TPS FOR HAITI

### *Frequently Asked Questions*

On November 20, 2017, the Department of Homeland Security (DHS) announced that it terminated the Temporary Protected Status (TPS) designation for Haiti. This TPS designation was supposed to expire on January 22, 2018. DHS has given TPS holders from Haiti an additional 18 months of TPS status (until July 22, 2019) and it is unlikely that TPS for Haiti will be extended past that date.

On January 18, 2018, DHS published a notice in the Federal Register explaining how TPS holders from Haiti can re-register and re-apply for work permits, also known as Employment Authorization Documents (EAD). A summary of what you can do now is below.

### **If TPS for Haiti has been terminated do I still need to re-register for TPS?**

If you are a TPS holder from Haiti and wish to maintain your status through July 22, 2019, **you must re-register and file [Form I-821 Application for Temporary Protected Status](#)**. **This form must be postmarked by March 19, 2018.** To ensure you don't miss the chance to re-register, do not wait until your work permit expires and do not wait until the last minute to file your forms. Send them as soon as possible.

You do **not** need to pay the \$50 filing fee for Form I-821. However, you do have to pay the \$85 biometrics services fee. If you are unable to pay the \$85 biometrics fee, there are two ways you can request that the fee be waived. You can either send a completed [Form I-912 Request for Fee Waiver](#), or you can send a personal letter requesting a fee waiver and explaining and documenting why you cannot pay the fee.

### **Do I need to file for a new work permit?**

If you have a work permit as a TPS holder from Haiti, and timely received a work permit after filing at the last extension in July 2017, your current work permit has the expiration date of January 21, 2018. Under the announced changes, you have automatically been authorized to work for 180 additional days (through July 21, 2018). As long as you apply to re-register your TPS by March 19, 2018, you can work legally through July 21, 2018 even if you do not apply for a new work permit. If you choose not to apply for a new work permit, print a copy of the [Federal Register Notice<sup>a</sup>](#) announcing the TPS extension for Haiti to your employer to show that the validity of your current work permit has been automatically extended through July 21, 2018.

If you timely filed at the last extension in July 2017, but are still waiting for your work permit, your current work permit will have the expiration date of July 22, 2017. You are still covered by the automatic extension and can work legally through July 21, 2018 even if you do not apply for a work permit. To prove continued eligibility to work through July 21,

<sup>a</sup> You can find a copy of the Federal Register Notice online at <https://www.gpo.gov/fdsys/pkg/FR-2018-01-18/pdf/2018-00886.pdf>.

2018, print a copy of the Federal Register notice announcing the TPS extension for Haiti, bring your work permit receipt notice (Notice of Action, Form I-797) that notes the application was received on or after May 24, 2017, print [this statement](#)<sup>b</sup>, and show them to your employer. Once USCIS approves your TPS re-registration application and you applied for and paid the fee for a new EAD (or USCIS approved your fee waiver request), you will be issued a new EAD with the expiration date of July 22, 2019.

If you want to obtain a new work permit card that shows an expiration date of September 9, 2019 on its face, you must file a [Form I-765 \(Application for Employment Authorization\)](#) and pay the \$410 filing fee that goes with it, in addition to filing your Form I-821 TPS re-registration application. If you are unable to pay the \$410 work permit filing fee, there are two ways you can request that the fee be waived. You can either send a completed Form I-912 Request for Fee Waiver, or you can send a personal letter requesting a fee waiver and explaining and documenting why you cannot pay the fee. If you timely re-register for TPS and file for a new work permit the validity of the work permit will be automatically extended for up to 180 days from the date your current work expires, i.e., through July 21, 2018.

## What happens at the end of the TPS period?

If you do nothing, your work permit will expire on July 21, 2018. If you apply by March 19, 2018 to re-register, your work permit will expire and your TPS will end on July 22, 2019. You should consult with a trusted legal services provider about other immigration options you might be eligible for. Search for a legal service provider near you here: <https://www.immigrationadvocates.org/nonprofit/legaldirectory/>. If you live in the 9th Circuit (Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington) or the 6th Circuit (Kentucky, Michigan, Ohio, Tennessee), you may be eligible for additional immigration options. For more information, see the [ILRC Practice Alert on Ramirez v. Brown](#).

For more information, please also consult CLINIC's resource [Federal Register Notices Published for TPS for Haiti and El Salvador](#).<sup>c</sup>

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<sup>b</sup> You can find a copy of the statement online at <https://www.uscis.gov/news/re-registration-period-now-open-haitians-temporary-protected-status>.

<sup>c</sup> You can find CLINIC's resource online at <https://cliniclegal.org/resources/federal-register-notices-published-tps-haiti-and-el-salvador>.