

Presentation on TPS for Haitians 5/24/21





Keys Immigrant Coalition (KIC) is a volunteer run non-profit organization committed to protecting and defending the rights of immigrants in Monroe County, Florida through education, advocacy and outreach.

Website: keysimmigrant.org

Email: keysimmigrant@gmail.com

Facebook: facebook.com/keysimmigrant

Covid 19 community resources



Keys United Way

www.keysunitedway.org/communityresourceguide

Children's needs and resources

Food availability

Rent and financial assistance

Health information

Governmental Benefits



Apply for SNAP and government benefits:

www.myflorida.com/accessflorida/

Covid 19 Vaccines



Statement that ID's are no longer needed to get the vaccine. It is no longer a requirement for individuals to provide multiple proofs of residency to receive a vaccine. Individuals will now be required to verbally confirm if they are a Florida resident or if they are in the state for the purpose of providing goods and services in Florida.

Vaccines are now more readily available at local pharmacies by appointment.

- CVS
- Walgreens
- Winn Dixie
- Publix
- Rural Health Network Monroe County in Key West call (305) 517-6613 ext 50

Saturday announcement by Biden Administration - Humanitarian protection for Haitians

<https://www.dhs.gov/news/2021/05/22/secretary-mayorkas-designates-haiti-temporary-protected-status-18-months>

1. TPS is Re-designated for Haiti for all Haitians living in the US as of May 21, 2021.
2. Persons who already have TPS must re-register.
3. Those who now qualify must file.
4. The beginning date of the Registration Period will be published in the Federal Register.
* TPS applications cannot be done until the Notice is Published.
5. Those who currently have TPS are good until October 4, 2021.
If they want the benefit of the new additional 18 month period must re-register.

Haitian TPS Eligibility



- Temporary Protected Status (TPS) is granted to nationals of a country that the Secretary of Homeland Security has designated for TPS because the country is experiencing an ongoing armed conflict, an environmental disaster, or extraordinary and temporary conditions.
- Haiti was granted TPS as a result of the devastating earthquake on January 12, 2010.
- TPS is a temporary benefit and does not lead to Permanent Resident Status
- **TPS is available to Haitians, who:**
 1. Are a Haitian national or a person who last habitually resided in Haiti;
 2. Continuously resided in the U.S. ON OR BEFORE January 12, 2011;
 3. Have remained continuously physically present in the U.S. since July 23, 2011;
 4. Meet other immigration admissibility requirements;
 5. Fully complete the TPS application process (including re-registration periods when necessary).

How to Apply for TPS



- Must register by filing an application for TPS (form I-821) and an application for Employment Authorization (form I-765), with appropriate fees or fee waiver requests. Forms can be found at www.uscis.gov. Current filing fees are?
- Failure to complete forms accurately and ensure all questions are answered fully and correctly may result in delays in processing or denials.
- TPS registration periods have been extended several times, the last time being from January 18, 2018 through March 19, 2018.
- TPS for Haitians is currently closed. If you did not re-register during the registration periods, you may submit a late re-registration application, including a letter that explains your reason(s) for filing late with your application. USCIS will determine whether your reasons are “good cause” for being late.

Reasons why you may not be eligible for TPS

- A person who has been convicted of any felony, or two or more misdemeanors committed in the United States is not eligible for TPS
- A person subject to several other criminal and security-related bars to asylum is also ineligible (such as participating in the persecution of another individual or engaging in terrorist activities).
- Misrepresentation or Fraud may be forgivable with a waiver

Advance Parole (travel document)



- Advance Parole application is form I-131, found at www.uscis.gov
- The filing fee is currently: \$575.00
- Check the date format: MONTH/DATE/YEAR
- If you are granted TPS, you may apply for Advance Parole, which allows you to depart the United States and re-enter AS LONG AS THE ADVANCE PAROLE DOCUMENT REMAINS VALID.
- Advance Parole is within the discretion of the Secretary of the Department of Homeland Security and is not guaranteed. Any violation of immigration law can affect your eligibility to reenter the United States. In some instances, failure to obey the law may permanently bar your return to the United States. This is true, even if you have a visa, advance parole or other document, or at some point otherwise become eligible for status. USCIS will not make a determination as to whether you may be inadmissible in advance, even if you apply for an advance parole.
- Seek legal advice before departing the United States to ensure that you will not be found ineligible to return.

Automatic Extension until October 4, 2021



- On December 9, 2020, as a result of federal litigation, DHS announced that beneficiaries of Haitian TPS will retain their TPS and DHS will AUTOMATICALLY EXTEND until October 4, 2021
- Employment Authorizations are automatically extended until October 4, 2021.
- This automatic extension applies only if you properly filed for TPS re-registration during either the most recent DHS registration period of January 18-March 19, 2018; May 24-July 24, 2017, or from August 25 through October 26, 2015.
- The automatic extension does not apply if your TPS has been withdrawn or denied.
- You may direct your employer or other state/federal agencies from which you are trying to obtain benefits (i.e. drivers license, social security) to www.uscis.gov to verify the automatic extension period.
- If you wish to apply for a new Employment Authorization card, you may do so by filing form I-765 with the appropriate fee or fee waiver request. If approved, it will be issued with an expiration date of October 4, 2021.

Anticipated Changes under Biden Administration for TPS holders.



- Redesignation of Haiti for continued TPS protection, beyond the October 4, 2021 deadline
- Passage of the Dream and Promise Act, which would provide 400,000 TPS holders (not just Haitian nationals), a pathway to citizenship.
 - For TPS for those physical present since January 1, 2017.
 - Spouses/children will be eligible. Passage of Dream and Promise Act in 2021 is uncertain.

Other Issues to be Aware of:



- Orders of Supervision for those with Final Orders of Removal
- ICE Detainers
- Deportations to Haiti
- Improperly Filed Federal Tax returns and Potential Immigration Consequences.



How can we serve you?

English classes

Community IDs

More legal clinics with consultations



Questions?