

## **FACT SHEET - TEMPORARY PROTECTED STATUS (TPS) FOR HAITIANS**

### **What is TPS?**

Temporary Protected Status (or TPS) is a temporary immigration status granted to individuals residing in the United States who are temporarily unable to safely return to their home country because of ongoing armed conflict, an environmental disaster, or other extraordinary and temporary conditions. Congress codified TPS under section 244 of the INA, and authorized the houses of Congress or the Secretary of the Department of Homeland Security to designate countries for this special status. During the period for which a country has been designated for TPS, TPS beneficiaries may remain in the United States and may obtain work authorization. However, TPS does not lead to permanent resident status. When the Secretary terminates a TPS designation, beneficiaries revert to the same immigration status they maintained before TPS (unless that status had since expired or has been terminated), or to any other status they may have acquired while registered for TPS.

### **Who is eligible for TPS?**

Nationals of countries designated for Temporary Protected Status, who meet the criteria outlined by the Department of Homeland Security, who apply in a timely manner for TPS benefits, establish the necessary continuous physical presence and continuous residence in the United States as specified by each designation, have no criminal record and are not under other inadmissibility criteria, qualify for TPS.

### **Why Haiti?**

In September 2008, Haiti suffered massive destruction from four deadly storms that hit the country in devastating succession during harvest season: Tropical Storms Fay and Hanna and Hurricanes Gustav and Ike. The Institute for Justice and Democracy in Haiti has called the damage from the storms three-times worse than that wreaked by Hurricane Katrina upon the U.S. Gulf Coast and New Orleans in 2005. The two storms killed nearly 1000 people nationwide and left 800,000 of the country's residents in need of emergency humanitarian assistance. At least 40,000 of Haiti's 8.5 million citizens are still without shelter due to the storms and many schools and hospitals have not yet been rebuilt. Worst of all, the storms compounded the famine which came to light during the food riots in April 2008. Indeed, the Artibonite "breadbasket" region of Haiti is still flooded with the storm waters that destroyed an estimated 180 million dollars in crops.

Beyond the storms, Haiti continues to be plagued by political instability, insecurity and poverty. Haiti is by far the poorest and least-developed country in the western hemisphere, with more than half of its people living on less than \$1 per day, and 80% living on less than \$2 per day. One-third of Haitian children are malnourished and the maternal mortality is the highest in the Hemisphere.

Deporting 30,000 people to Haiti under the current circumstances would only act to further aggravate the current humanitarian crisis and increase the stress on Haiti's already weak economy. The destabilizing effects will be yet another blow to an already struggling democracy. Rather than deporting Haitian nationals to a country that clearly cannot absorb or provide for them, these individuals should be permitted to remain in the United States and earn wages that will contribute to the reconstruction of their country. Granting TPS to Haitians would provide Haitian nationals stranded in the United States with the ability to legally work and contribute to the reconstruction of their country until it is safe to return.