

TPS: What You Should Know

What is TPS? Introduction and Overview

Temporary Protected Status, or TPS, is an immigration status designated by the U.S. Government. TPS indicates that the conditions in a country are unsafe. TPS designations commonly result from severe natural disasters, war or political crises. **TPS only benefits people who are already in the United States at the time of the designation. TPS is not a basis for entry into the United States.**

Applying for TPS

To apply for TPS, applicants generally must demonstrate that they were in the United States when their home country was designated by the U.S. as unsafe to return to. There is a form to fill out to get TPS, **USCIS Form I-821**, as well as to get temporary work authorization, **USCIS Form I-765**.

Impact of TPS Approval

People who are approved for TPS are allowed to stay and work in the U.S. **for a specific period of time**, which varies with each designation. The time period for TPS usually lasts 1-2 years and is often renewed. Even if your country remains unsafe to return to, and remains identified as such by the U.S., renewing your individual TPS and work authorization is mandatory. You will lose your status and work authorization if you do not renew it when required by USCIS.

Current Status of TPS

The Trump administration tried to terminate TPS for the following countries: El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan. There have been several lawsuits that challenging these actions. On December 7, 2020, the Department of Homeland Security issued a notice which extends TPS for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan designated beneficiaries. The validity of Employment Authorization Documents (EADs); Forms I-797, Notice of Action; and Forms I-94, Arrival/Departure Record for beneficiaries under the TPS designations for **El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan is automatically extended through October 4, 2021.**

If TPS is terminated for a country, people will lose their status in the U.S as well as their work authorization and will be at risk of removal (deportation). People who have TPS should consult with CLA or another immigration attorney to evaluate any possible basis for remaining in the U.S if this occurs.

Countries Currently Designated for TPS and Current End Dates

(Updated March 2021)

Country	TPS Status and Work Authorization Termination
El Salvador, Haiti, Honduras, Nepal, and Nicaragua	<i>Work Authorization (EADs) currently extended through Oct 4, 2021</i>
Somalia South Sudan Sudan Syria Yemen	July 19, 2021 March 3, 2022 <i>Work Authorization valid through Status dates</i> May 2, 2022 March 31, 2021 July 5, 2021
Venezuela	TPS status is active. Initial filing period for 180 days.
Myanmar	TPS status is active. Initial filing period for 180 days.



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FURTHER FAQs

Can I apply for TPS if I have a criminal record?

Contact an attorney at CLA or another experienced immigration attorney for legal advice. Your criminal history may put you at risk of deportation if you are denied TPS.

Can I travel outside of the U.S. if I have TPS?

TPS does not give you permission to travel outside of the U.S. It is possible to apply for advance parole, which would allow you to leave the country and come back within a designated time frame. This is risky. You should contact CLA or another experienced immigration attorney.

Will I get a green card if I get approved for TPS?

No. There is not a pathway to becoming a Lawful Permanent Resident through TPS alone. You should evaluate your other options for getting a green card, such as through a family member or spouse who is a U.S. Citizen or already a green card holder.



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