



OFFICE OF INTERNATIONAL SERVICES

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Temporary Protected Status

What is Temporary Protected Status (TPS)?

TPS is a status granted to people already in the United States when the U.S. government believes that it is temporarily unsafe for them to return to their home country, or where circumstances in their country makes it impossible for their return. TPS is typically issued following natural disasters, major political unrest, major medical concerns, etc. It is important to note that TPS only covers citizens of the affected countries who were present in the U.S. on the date of the designation of TPS for that country. (For example, El Salvador was originally designated for TPS in 2001, and it has continued to be redesignated since that time. However, the only people who can take advantage of it are those who can prove they have resided in the U.S. since the original designation in 2001.)

How long does TPS last?

The initial designation of TPS varies, depending upon the situation, but is typically 12 – 18 months. Towards the end of the period initially granted, the U.S. reviews the current situation in the designated country and may then extend the period of TPS if it is believed that the designated country is still experiencing conditions which would negatively affect returning citizens.

What countries are currently designated as TPS countries?

Additional TPS countries can be added at any time. Always use the [USCIS website](#) to see the full list of current TPS countries. As of October 2022, the designated countries are Afghanistan, Burma (Myanmar), Cameroon, El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, South Sudan, Sudan, Syria, Ukraine, Venezuela, and Yemen. The USCIS website gives the exact dates of designation for each country.

Do all citizens of designated countries qualify for TPS?

No. In order to qualify for TPS, individuals must be able to show evidence that they have been in the U.S. for the required period of time pursuant to the regulation and that they have applied for TPS within the requisite filing period. In addition, people who have been convicted of certain criminal offenses, or who are otherwise inadmissible, are not eligible for TPS.

What rights does a person have under TPS?

A person who is granted TPS is permitted to continue to live legally within the U.S. and to apply for an Employment Authorization Document (EAD). Work authorization is approved for the duration of the TPS designation, but the individual must continue to register with the government for continued TPS approval every time the designation is extended. A person with TPS may also apply for a change of status to a nonimmigrant visa, or for adjustment of status to legal permanent residence (a green card) if they have an approved immigration petition. To be clear, TPS does not confer the benefit of either a nonimmigrant visa or legal permanent residence (LPR) – only those with a different approval (H-1B petition, family green card petition, etc.) would qualify for the change or adjustment of status.

What is the application process for TPS?

TPS is requested by submitting [Form 821](#) to USCIS. There is an application fee, with additional fees for biometric services and Employment Authorization Documents where necessary. In addition to documentation of their identity, applicants must provide documentation of their presence in the U.S. for the requisite periods of time. For additional information about TPS, please visit the [USCIS website](#).

Additional Resources:

[Workers with Temporary Protected Status. Protect Your Right to Work.](#) U.S. Department of Justice.

[Temporary Protected Status: An Overview.](#) American Immigration Council, March 17, 2022.

[Rules for Using a TPS-Related EAD While Holding a Valid Non-Immigrant Status.](#) HG.org Legal Resources