



Temporary Protected Status

What is TPS?

Temporary Protected Status (TPS) was established by Congress through the Immigration Act of 1990. TPS is intended to protect foreign nationals in the United States from being returned to their home countries if the home country became unsafe to return to during the time in which the individuals were in the U.S. Under the [law](#)¹, the Secretary of the Department of Homeland Security (DHS) may designate a foreign country for TPS in three scenarios:

1. Ongoing armed conflict (such as a civil war);
2. An environmental disaster (such as earthquake or hurricane) or an epidemic²; or
3. Other extraordinary and temporary conditions that prevent people from safely returning home to the country.

Does TPS Lead to Citizenship?

No. TPS does not provide a path to citizenship. Instead, it provides the right to be in the United States legally and legal work employment authorization which gives the TPS recipient the ability to pursue legal employment opportunities.

How Long Does TPS Last?

A country's TPS designation can last from six months, at a minimum, to a maximum of 18 months, with the option

to extend prior to the expiration of the designation period.

Who Decides Whether to Extend TPS?

The DHS Secretary is responsible for making the decision to extend a country's TPS designation. The Secretary does so with input from appropriate agencies such as the State Department and the Department of Justice. TPS designation extensions can be similarly made for a period of six, 12, or 18 months.

Who Currently Has TPS?

There are ten countries currently designated for TPS and approximately 320,000 individuals in the United States with TPS. The vast majority of TPS recipients are from El Salvador, Honduras, and Haiti; there are approximately 195,000 Salvadorans, approximately 57,000 Hondurans, and approximately 50,000 Haitians who have TPS.

When Must the Decision to Extend TPS Be Made for El Salvador, Haiti and Honduras?

The current TPS designation for El Salvador is to expire on [March 9, 2018](#)³, which means that the DHS Secretary must make a decision to extend or cancel the designation by January 8, 2018⁴, to comply with statute's notice requirements. Honduras's TPS designation extends through [January 5, 2018](#), which means that the DHS Secretary must make a decision to extend or cancel the designation by November 6, 2017. TPS for Haiti will run through January 22, 2018⁵ and





the DHS Secretary must make a decision to extend or cancel the designation by November 23, 2017.

Is There a Legislative Solution?

Yes, potentially. Congress could enact legislation that would codify protection for TPS recipients. However, it is unlikely that potential legislation will be able to pass both chambers of Congress and become law prior to the upcoming extension deadlines (November 2017 - January 2018).

What Will Happen If TPS Is Not Renewed and No Legislative Solution Is Reached?

In each country situation, if TPS is not extended, it means that current TPS recipients will be asked to prepare their travel documents and then return to their home countries. When choosing to cancel a country's TPS designation, the Secretary of Homeland Security may provide a period of up to six months to make preparations for return, however, this is not required by law. After the designated time, if individuals remain in the U.S. without another form of relief, they will be considered undocumented, no longer allowed to legally work, and potentially targeted for removal.

What Will the Impact Be If TPS Designations Are Not Extended?

In addition to returning many individuals to unsafe or unstable conditions, failing to extend these countries' TPS designations will tear numerous families apart. Some TPS recipients have been living in this country for over 15 years, [and over 270,000 U.S. citizen children](#) have been born to TPS recipients.⁶ Additionally, the home countries will be negatively affected as they will have to prepare for the return of large numbers of their nationals and face the end

of remittances that TPS holders provide. Such remittances are invaluable to the economic prosperity of the home country. For example, in 2015, remittances to Haiti from the U.S. exceeded \$1.3 billion, roughly 15% of Haiti's GDP.⁷

How Does TPS Relate to Catholic Social Teaching?

The Church defends each person's right to live with dignity and the ability to provide for their families. As part of the pursuit of a dignified life and support for family, Church teaching recognizes the right to migrate and also the right not to migrate. TPS is a humanitarian provision that protects people from circumstances beyond their control and ensures that they will not be returned to hazardous and possibly deadly circumstances. It enables them to live safely in the U.S. at a time when they cannot do so in their country and ensures that recipients can live productive lives with their families absent fear.



Footnotes

1 8 U.S.C. § 1254.

2 For this category only, the country of origin must also request the TPS designation.

3 TPS Designated Country: El Salvador, U.S. CITIZENSHIP AND IMMIGRATION SERVICES (USCIS) (March 6, 2017), <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-el-salvador>.

4 TPS Designated Country: Honduras, USCIS, (Aug. 11, 2016), <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-honduras>.

5 TPS Designated Country: Haiti, USCIS (May 24, 2017), <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-haiti>.

6 Robert Warren and Donald Kerwin, A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti, 5 JOURNAL ON MIGRATION AND HUMAN SECURITY 577 (2017).

7 Manuel Orozco, Laura Porras, Julia Yansura, The Continued Growth of Family Remittances to Latin America and the Caribbean in 2015, Inter-American Dialogue, Feb. 2016, www.thedialogue.org/wp-content/uploads/2016/02/2015-Remittances-to-LAC-2.