

Temporary Protected Status

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What is TPS?

“The Secretary of Homeland Security may designate a foreign country for TPS due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately”

- Covers countries that
 - Are experiencing armed conflict,
 - An environmental disaster or epidemic, or
 - Other extraordinary circumstances.

What Benefits Does TPS Confer?

- With TPS, an immigrant may:
 - Obtain work authorization
 - Apply to travel abroad
 - Be protected from deportation
- Does NOT provide a direct path to permanent residence or citizenship



History of TPS

- Preceded by Extended Voluntary Departure, an executive branch status with AG discretion
- Created by Congress in 1990 to create a uniform system to help those whose countries are in turmoil
- Gave the secretary of Homeland Security the discretion to designate countries
- Since enactment, 19 countries have received designation; 10 currently

Who Qualifies for TPS?



- Must be a citizen or habitual resident of a designated country
- Must have been in the US before the “effective date” set by Homeland Security & continually physically present since that date
- Meet certain filing deadlines
- May have arrived on temporary visa or without authorization
- No significant criminal record
- Not subject to “mandatory bars to asylum”

Who does it protect currently?

- El Salvador (lrgst grp, deadline Jan. 18)
- Haiti (deadline Nov. 2017)
- Honduras (deadline Nov. 2017)
- Nepal
- Nicaragua (cancelled, exp. Jan. 2019)
- Somalia (continuously since 1991)
- Sudan
- South Sudan
- Syria
- Yemen
- Guinea, Liberia & Sierra Leone programs closed May 2017 after Ebola epidemic

How Many People Have TPS?

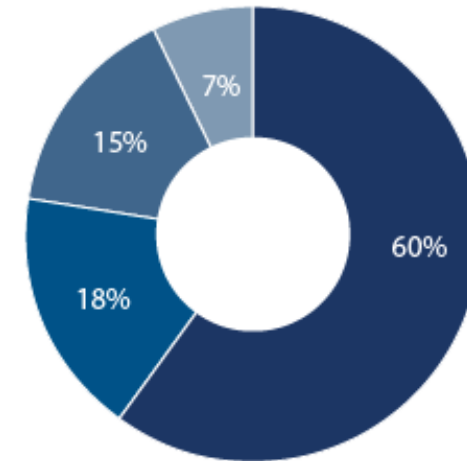
- Total of 320,000+ people
 - El Salvador = #####
 - Honduras = ###
 - Haiti = ###
- Approximately 4600 TPS recipients in Pennsylvania

FIGURE 1

Estimated number of Temporary Protected Status holders from El Salvador, Honduras, and Haiti, 2015

Country of origin

- El Salvador
- Honduras
- Haiti
- Other



Source: Robert Warren and Donald Kerwin, "A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti," *Journal on Migration and Human Security* 5 (3) (2017): 577-592, available at <http://jmhs.cmsny.org/index.php/jmhs/article/view/99>.

Impending Expirations & Decision Deadlines

- Nicaragua & Honduras' deadline was 11/6 affecting a combined 59,000+ people
 - Nicaragua's program was discontinued with a grace period until Jan. 2019
 - Honduras decision "deferred" 6 months until July 2018
- Haiti's deadline is 11/23 affecting 50,000+
- El Salvador's deadline is 1/8/18, with the largest group affected- 195,000+

What happens when TPS ends?

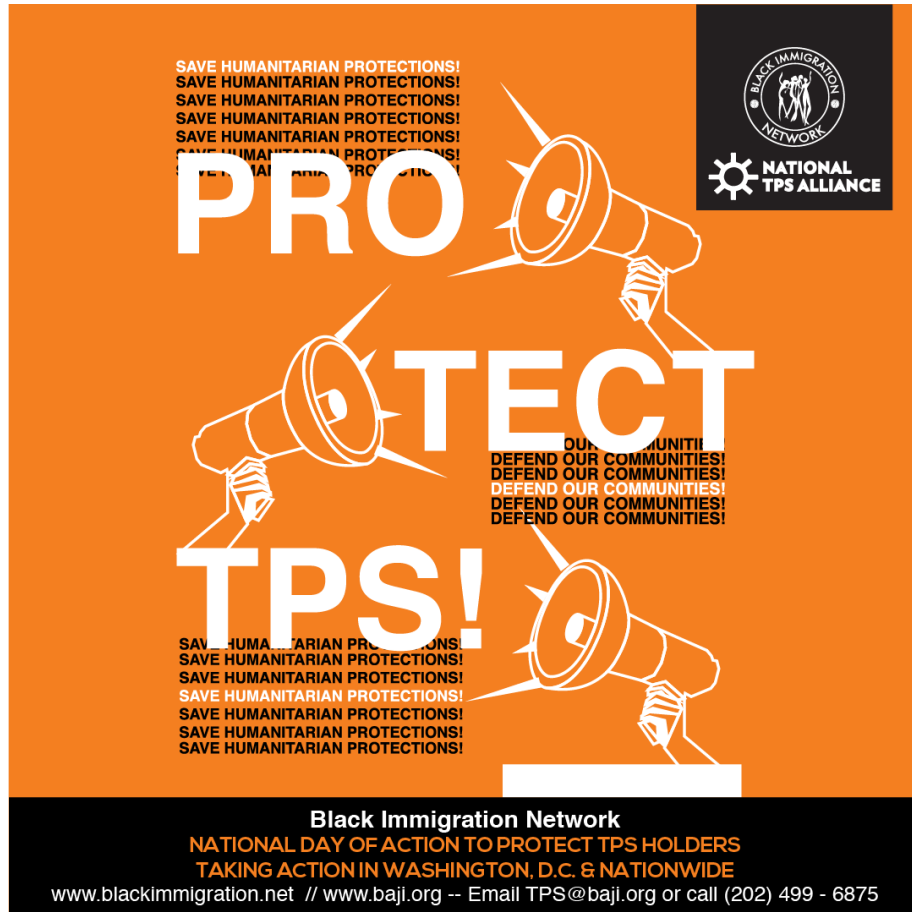
- Without TPS, people become undocumented
 - Lose work authorization
 - Subject to deportation
- Deportation of every TPS recipient would cost taxpayers billions of dollars
 - Est. \$3.1B for El Salvador, Honduras, and Haiti (large majority of TPS)
 - \$6.9B loss to Social Security and Medicare over a decade
 - \$45.2B loss to GDP over a decade
- Human costs - those who do return could be in extreme danger, families will be separated



Current Bills to Protect TPS

- ESPERER – “Extending Status Protection for Eligible Refugees with Established Residency” (bipartisan)
 - Path to LPR for TPS holders from Haiti, El Salvador, Honduras & Nicaragua ONLY
- APA - “American Promise Act” (Democratic)
 - Path for LPR for TPS and DED holders, restrictions based on eligibility timeline, not nation
- ASPIRE – “Act to Sustain the Protection of Immigrant Residents Earned Through TPS” (bipartisan)
 - Creates “protected status” for renewable 6 yr period; those with “extreme hardships” can petition for LPR status

Advocacy Efforts



- Call your congress people about supporting the proposed bills (APA, ASPIRE, and ESPERER) or TPS in general if you do not wish to endorse a bill
- Follow the campaigns by:
 - [Allianza Americas Save TPS](#)
 - Webinar recording: “[What’s next for TPS?](#)”
 - [Black Alliance for Just Immigration](#)

Sources

- [American Immigration Council: Court Decisions Ensure TPS Holders in Sixth and Ninth Circuits May Become Permanent Residents](#)
- [American Promise \(APA\) Act](#)
- [Act to Sustain the Protection of Immigrant Residents Earned through TPS \(ASPIRE\) Act](#)
- [Center for American Progress: TPS Holders Are Integral Members of the US Economy and Society](#)
- [Department of Homeland Security: Acting Secretary Elaine Duke Announcement on Temporary Protected Status for Nicaragua and Honduras](#)
- [Extending Status Protection for Eligible Refugees with Established Residency \(ESPERER\) Act](#)
- [Immigrant Legal Resource Center: Economic Contributions by Salvadoran, Honduran, and Haitian TPS Holders](#)
- [Migration Policy Institute: Temporary Protected Status in the United States: A Grant of Humanitarian Relief That is Less Than Permanent](#)
- [USCIS: Temporary Protected Status](#)
- [Washington Post: DHS Ends Protected Immigration Status for Nicaraguans, but Honduras Gets Extension](#)