

TEMPORARY PROTECTED STATUS FREQUENTLY ASKED QUESTIONS

What is Temporary Protected Status (TPS)?

Temporary Protected Status (TPS) is a form of relief that allows individuals of certain, designated, countries to remain in the United States with work authorization for a temporary duration of time because conditions in their native country prevents their safe return.

Who qualifies for TPS?

To qualify, the applicant must be a citizen of the designated country. As of March 2022, Afghanistan is a designated country. There are specific rules for TPS and to qualify, the individual from Afghanistan must demonstrate both: (1) they are a citizen of Afghanistan; and (2) they were physically present in the United States prior to the designated date for TPS. We are waiting for the government to release the specific date but it will likely be sometime in March 2022.

How long does TPS last for?

TPS is generally issued for 18 months but has historically been renewed over and over again. Although classified as “temporary,” there are some applicants from other designated countries who have consistently remained on TPS for many years. For example, people from Somalia have been on TPS since 1991. People from El Salvador have been on TPS since 2001. To keep TPS, you simply have to re-register during the designated periods of re-registration.

Is TPS residency?

No. Although TPS has historically allowed people to stay in the United States for very extended periods of time, it is not residency. You cannot obtain residency or citizenship directly from TPS.

What is the difference between asylum and TPS?

Asylum is protection from your country of origin because of individualized harm, or fear of future harm, that you suffered/may suffer in the future at the hands of your country’s government because of a specific, protected ground (your race, religion, nationality, political opinion, or membership in a particular social group). Asylum leads to residency and ultimately citizenship. Whereas, TPS is a benefit issued simply because someone is from a designated country, which is too dangerous for them to return to. Asylum is individualized and centered on what happened to the person him/herself. TPS is general and blanket relief based simply on nationality.

Can my family members in the USA be on my application?

No. All TPS applicants must submit their own application.

Can my family members outside the USA qualify for TPS?

No. To qualify for TPS the applicant must have been physically present in the United States before a specific date and continue to reside in the United States. Thus, individuals outside of the United States cannot qualify.

Can I travel on TPS?

Once you have TPS, you can apply for a travel permit. However, you should avoid traveling to your home country, as doing so negates the need for TPS. Likewise, if you are applying for asylum, you will not want to travel to your home country. Please keep in mind that although travel may be approved, it is not for leisure and should be reserved for emergencies. Likewise, travel authorization is essentially permission to

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leave the United States. You are not granted a guarantee of return with a travel permit. There is a cost of over \$500 for this application.

Can I work on TPS?

You can apply for a work permit in conjunction with TPS or after having been issued TPS. If you already have a work permit through parole, you do not need to get an additional work permit through TPS. There is a cost of over \$400 for this application.

How long is TPS?

Initially, TPS will be granted for 18 months. If the government chooses to extend it, there will be an announcement made in the future as to when you can re-register for it. However, as explained above, the government historically extends TPS over and over again, you just have to keep re

Can I have TPS and parole at the same time?

Yes.

Can I apply for TPS if I am applying for asylum?

Yes.

What is the purpose of applying for TPS if I have parole and will be seeking asylum?

TPS is almost guaranteed based off of your nationality and will likely be something you will be able to have for years to come. Parole is so far only valid for a specific period of time and you will have to renew. Asylum is a rigorous process and not all people will obtain it. TPS will be a great form of protection for you to have and keep if you are not granted re-parole or asylum.

When can I apply for TPS?

We are currently waiting for the announcement of when individuals from Afghanistan can apply for TPS. However, it will be soon and we can start your applications in anticipation for it.

If I have parole, should I wait to apply for TPS?

Absolutely not. TPS is a one-time opportunity with a limited window for applying. This means that it will not be available after a specific date and that individuals who arrived after a specific date cannot apply. It is like winning the immigration lottery. You should apply immediately.

How long does it take to get TPS?

It will depend on how long your background takes to clear but typically 3 to 12 months after applying. During this time, you will have to do biometrics with the government.