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Temporary Protected Status (TPS): 5 Things to Know

Hundreds of thousands protected by the program have lived in the United States for over a decade, face uncertain and deadly future as Trump Administration ends programs

DECEMBER 20TH, 2018



Recently the Trump Administration has taken steps to terminate humanitarian [Temporary Protected Status \(TPS\)](#) protections for immigrants from countries devastated by natural disaster and war.

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The lives of hundreds of thousands of people living in the United States for years are being thrown into crisis, and the consequences will be costly – and deadly – if Congress does not act.

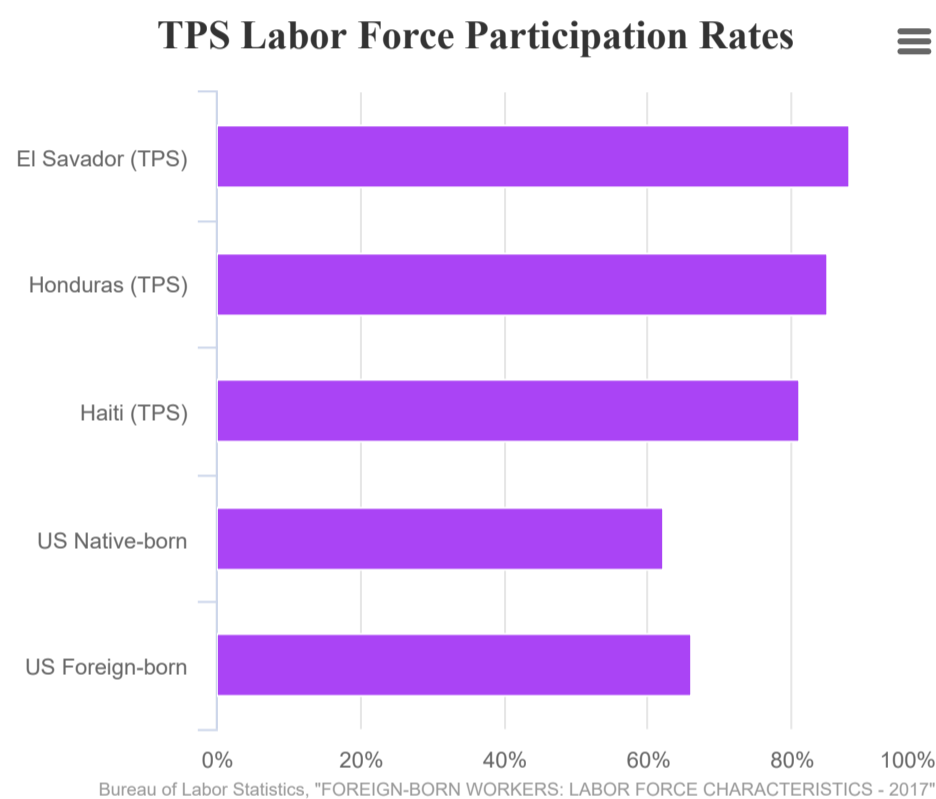


Here are five key things you need to know about TPS today:



The majority of TPS holders [have been in the country for a very long time](#), having set down roots, pursuing careers, building families, and integrating into American communities and society. In fact, TPS holders from El Salvador, Honduras, and Haiti – 90% of the current TPS population – have lived in the U.S. for an average of 19 years, and have [an estimated 273,000 U.S. citizen children](#) born and raised in America.

TPS holders have [labor force participation rates over 80%](#), and [are on track to contribute \\$164 billion](#) to national GDP over the next decade. And while many live in states with very large immigrant populations like California, Florida, New York and Texas, six other states – Virginia, Maryland, New Jersey, Massachusetts, North Carolina, and Georgia – are [home to over 10,000 TPS holders](#).



Sources:

[1](#) Warren, Robert, and Kerwin. "A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti."

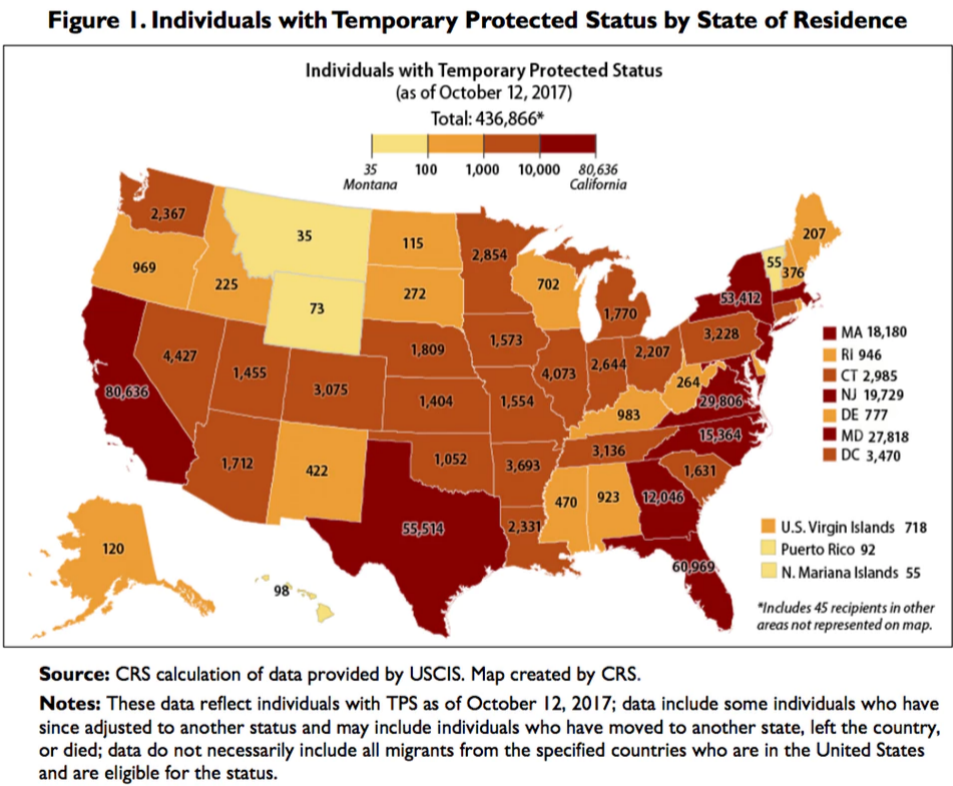
[2](#) Bureau of Labor Statistics, "Foreign-born Workers: Labor Force Characteristics — 2017."

Because TPS holders have established such deep roots, abruptly forcing them out of the workforce and country would impose harmful economic consequences on the U.S. as well. [Researchers estimate](#) that ending TPS for El Salvador, Honduras, and Haiti alone would result in a \$45.2 billion reduction in GDP over a decade and cost employers nearly \$1 billion in turnover costs. Subsequently deporting those previously protected would cost American taxpayers \$3.1 billion.

Furthermore, ending TPS programs risks slashing [significant remittances sent abroad](#) that help countries remediate the very crisis providing the basis for TPS. Salvadorans alone are estimated to have sent over \$5.02 billion home, about 18.3 percent of the country's GDP; Haiti and Honduras share similar stories.

2| TPS holders are thriving in the US while their home countries are engulfed in war, devastation, hunger, and chaos

Congress established TPS as part of [the Immigration Act of 1990](#) to provide temporary reprieve from deportation and work authorization to certain immigrants who are unable to return to their home countries because of war, natural disaster, and other extraordinary circumstances.



There are an estimated [437,000 TPS holders](#) from 10 countries in the U.S. today, many of whom have fled some of the most devastating natural disasters and armed conflicts of our time. The U.S. has protected them from deadly civil wars and natural disasters like Hurricane Mitch and devastating earthquakes. All told, these crises and their aftermath have taken the lives of nearly 4 million people in these countries, and dangerous conditions remain. ⓘ

ongoing armed conflict
environmental disaster (like an earthquake, flood, drought, or epidemic), or
some other extraordinary conditions that would not allow their nationals to return.

3| **TPS has strict eligibility requirements including limited registration windows, cutoff dates, background and security checks**

TPS is a narrow set of temporary protections only available to a limited population, a far cry from any sort of sweeping “amnesty.” These protections are not granted automatically – the application process requires eligible individuals to apply, pay a fee, and undergo a background check. Those who would be otherwise inadmissible for immigration based on certain criminal convictions or national security grounds are ineligible for TPS.

Only people who have been continuously present in the United States since the date of designation (or re-designation) and who timely register with the government are eligible. Anyone who arrives after the date of designation cannot enroll, precluding any sort of incentive for further immigration. Furthermore, in order to avail oneself of a country’s temporary extension, [current TPS holders must re-register](#) with the government and again pay a significant filing fee for work authorization.

TPS holders cannot confer their TPS immigration status to family members abroad nor use their TPS as a basis for sponsorship, regardless of the crises they may face, and they cannot access most federal public benefits.

4| **The Trump Administration has allowed politics to outweigh costs and dangers of ending TPS**

There is no question that prematurely terminating TPS would be a dangerous and costly move, sending hundreds of thousands of people back into deadly conditions and [fueling recruitment efforts for groups like MS-13](#).

Country	Termination	January 12, 2017	July 22, 2017	10,000	30,000
Honduras	Termination	December 30, 1998	January 5, 2020	57,000	86,031
Nepal	Termination	June 24, 2015	June 24, 2019	8,950	14,791
Nicaragua	Termination	December 30, 1998	January 5, 2019	2,550	5,305
Somalia	Extension	May 1, 2012	March 17, 2020	500	499
South Sudan	Extension	January 25, 2016	May 2, 2019	70	77
Sudan	Termination	January 9, 2013	November 2, 2018	1,040	1,048
Syria	Extension	August 1, 2016	September 30, 2019	5,800	6,916
Yemen	Extension	January 4, 2017	March 3, 2020	1,250	1,116
Total				317,660	436,866

Source: CRS compilation of information from *Federal Register* announcements and USCIS data.

a. The arrival date represents the date from which individuals are required to have continuously resided in the United States in order to qualify for TPS and is determined by the most recent TPS designation for that country. A migrant is not considered to have failed this requirement for a “brief, casual, and innocent” absence. 8 U.S.C. §1254a(c) and 8 C.F.R. §244.1.

b. Data from *Federal Register* notices for each country. These data typically represent the number of individuals who registered during the previous registration period.

c. Data provided to CRS by USCIS. These data reflect individuals with TPS as of October 12, 2017; the data include some individuals who have since adjusted to another status, and may include individuals who have

Despite this, the Trump Administration continues to dismiss evidence of the dangers and costs of terminating these designations, instead choosing to fuel anti-immigrant sentiment for political purposes. While the Administration claims publicly that conditions have sufficiently improved, [leaked e-mail communication](#) between administration officials from earlier this year paints a much different picture, one where honest assessments of continued struggles were overridden by pre-determined, politically-motivated commitments to ending the programs. As one agency employee wrote, “the basic problem is that it IS bad there (with regards to) all of the standard metrics.” Despite this, senior officials sent analyses back for revision, pushing to strengthen the case for termination and remove evidence to the contrary.

The President has led this push from the top as a vocal critic of the TPS program; he famously tanked bipartisan immigration negotiations earlier this year by [allegedly asking a crowded room](#), “Why do we want all these people from ‘shithole countries’ coming here?”

5| **Most TPS holders do not have a pathway to permanent legal status, but Congress could change that**

While the protections are intended to be temporary, conditions in many TPS countries have not yet improved enough to allow these individuals to return home, and the TPS holders have to stay in the U.S. continually to maintain protections. If the designations are terminated, most will not have any pathway to legal status in the country they have come to call home, and will face having to return or being put into deportation proceedings, separated from their jobs, their homes, and their U.S. citizen children.

Congress must establish a legislative pathway for these long-standing residents to adjust to a permanent legal status – some Members [are already committing](#) to prioritizing the issue out the gate. We have done this before – the Senate passed a [bipartisan comprehensive immigration reform bill](#) in 2013 that included a pathway for immigrants, including TPS holders, who have lived her for a long time. Today, the stakes are even higher, and the need for Congress to act is more urgent than ever.

Further Reading

1. [Warren, Robert, and Kerwin. "A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti."](#)

2. [Bureau of Labor Statistics, "FOREIGN-BORN WORKERS: LABOR FORCE CHARACTERISTICS — 2017."](#)

3. [Credit for TPS map and population table to Congressional Research Service, *Temporary Protected Status: Overview and Current Issues* by Jill H. Wilson.](#)

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