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Temporary Protected Status

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FACT SHEET

Temporary Protected Status: An Overview (/research/temporary-protected-status-overview)

This fact sheet provides an overview of how Temporary Protected Status designations are made, what benefits TPS confers, and how TPS beneficiaries apply for and regularly renew their status.

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Workers with Temporary Protected Status

When the Trump administration terminated Temporary Protected Status (TPS) for hundreds of thousands of migrants from El Salvador, Honduras, and Haiti (among other nations), it placed TPS holders at risk of being deported and separated from their families in the United States. It also cut the legal lifelines in the workforce of several states where the economic contributions of TPS recipients are significant.

Using data from the American Community Survey (ACS), this fact sheet estimates the likely numbers of workers with TPS from three countries: El Salvador, Honduras, and Haiti. It also estimates the likely numbers of workers with TPS from other countries, broken down by the states in which they reside and the industries in which they are employed. To provide some measure of comparison for these figures, the estimated numbers of workers with TPS in particular states are also compared to the total number of workers in those same states who work in the same states and industries.

El Salvador is the largest of the affected nationalities, with the loss of TPS threatening tens of thousands of Salvadoran TPS workers in the construction, healthcare, and technology industries. The loss of TPS to Honduras has thousands of construction workers, particularly those in Texas and Florida, and the termination of TPS may threaten thousands of Haitian and other temporary workers in Florida. These impacts are not just a loss of workers to industries experiencing high levels of demand for labor. It also represents a loss of buying power that has been accrued in the years past. The ripple effects of this removal from the United States would be felt in the local economies and communities of which they were a part.

TPS and the Trump administration

TPS is a temporary immigration status provided to nationals of specific countries that are facing an ongoing armed conflict, an environmental disaster, or other extraordinary and temporary conditions. Under the Immigration and Nationality Act (INA), TPS is provided on a case-by-case basis and is subject to termination. Despite its label as a temporary status, countries in some cases have remained open for so long that nationals of some TPS countries have been living in the United States with the permission of the U.S. government for many years now.

In September 2018, the Trump administration had terminated TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan—although the effective dates of the terminations were delayed for 12 to 18 months, depending on the country. The decision to end the TPS designations was made despite the official conditions set for countries in specific which U.S. employers depend on for a critical part of the labor force that the sudden return of so many people would further destabilize countries that ranked among the

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FACT SHEET

Workers with Temporary Protected Status in Key Industries and States (/research/workers-temporary-protected-status-key-industries-and-states)

January 9, 2019

This fact sheet estimates the likely numbers of workers with TPS from these three countries, broken down by the states in which they reside and the industries in which they are employed.

(https://www.americanimmigrationcouncil.org/sites/default/files/research/workers_with_temporary_protected_status_in_key_industries_and_states.pdf)



Temporary Protected Status: An Overview

Temporary Protected Status (TPS) is a temporary immigration status provided to nationals of certain countries experiencing problems that place their nationals at risk if deported given their usual, competitive foreign government's ability to absorb the return of its nationals. TPS has been a lifeline to hundreds of thousands of individuals already in the United States who are unable to return to their countries because their departure is dangerous or otherwise inhumane. This fact sheet provides an overview of how TPS designations are made, what benefits TPS confers, and how TPS beneficiaries apply for and regularly renew their status.

What is Temporary Protected Status?

Congress created Temporary Protected Status (TPS) in the Immigration Act of 1990. It is a temporary immigration status provided to nationals of designated countries that are experiencing an ongoing armed conflict, environmental disaster, or extraordinary and temporary conditions. It provides a work permit and the ability to apply for asylum in the United States and to apply for permanent residence in the United States if the U.S. government makes the designation.

For what reasons can a country be designated for TPS?

- A country may be designated for TPS for one or more of the following reasons:
 - An ongoing armed conflict such as a civil war that poses a serious threat to the personal safety of its nationals.
 - An environmental disaster, such as an earthquake, hurricane, or epidemic, resulting in a substantial, but temporary, disruption of living conditions and the foreign state is temporarily unable to adequately handle the return of its nationals.
 - Extraordinary and temporary conditions in the foreign state that prevent its nationals from returning to the state in safety unless the U.S. government finds that permitting them to remain temporarily in the United States is contrary to the U.S. national interest.

Who has the authority to designate a country for TPS?

The Secretary of Homeland Security has discretion to decide when a country meets a TPS designation. The Secretary must consult with other government agencies prior to making a decision to designate a country as part of a country for TPS. Although these other agencies are not specified in the statute, these consultations usually involve the Department of State, the National Security Council, and sometimes the Department of Justice (DOJ). The Secretary's decision whether to designate a country for TPS is not subject to judicial review, according to Immigration law.

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August 1, 2018

This fact sheet provides an overview of how Temporary Protected Status designations are made, what benefits TPS confers, and how TPS beneficiaries apply for and regularly renew their status.

(https://www.americanimmigrationcouncil.org/sites/default/files/research/temporary_protected_status_an_overview.pdf)



FACT SHEET

Temporary Protected Status in the United States (/research/temporary-protected-status-united-states)

October 23, 2017

This fact sheet provides information about TPS holders from El Salvador, Honduras, and Haiti.

Temporary Protected Status in the United States: Beneficiaries from El Salvador, Honduras, and Haiti

Temporary Protected Status (TPS) is a temporary immigration status granted to nationals of specifically designated countries that are facing an ongoing armed conflict, environmental disaster or other extraordinary and temporary conditions. Congress established TPS in the Immigration Act of 1988 with the express purpose of providing relief from being sent back to countries where they had become dangerous or vulnerable due to specific conditions.

As of August 2017, an estimated 325,000 TPS beneficiaries live in the United States. More than 80 percent of individuals with TPS are nationals of El Salvador (125,000), Honduras (97,000), or Haiti (103,000). The remaining beneficiaries come from Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, and Yemen. This fact sheet provides information about TPS holders from El Salvador, Honduras, and Haiti.

TPS Beneficiaries from El Salvador, Honduras, and Haiti Have Integrated into U.S. Society

Many TPS holders from El Salvador, Honduras, and Haiti came to the United States at a young age and have spent a significant portion of their life here. Salvadoran and Honduran TPS holders have, on average, spent at least a third of their lives in the U.S. And, approximately 80 percent of Haitian TPS beneficiaries were 15 years old or younger when they arrived in the United States. This long-term settlement has allowed them to become active and contributing members of their communities and the nation as a whole.

- The majority of Salvadoran and Honduran TPS holders with TPS have lived in the United States for at least 20 years (51 and 65 percent, respectively), while 40 percent of Haitian TPS holders have resided in the country for at least two decades. During this time, they have been regularly visited by the government, submitting themselves to background checks every time their TPS has been renewed. Hondurans, for example, have passed security checks 13 times while being TPS.
- Many TPS beneficiaries from El Salvador, Honduras, and Haiti have families in the United States. These families include approximately 275,000 native born U.S. citizen children. About two-thirds (67 percent) of Salvadoran and Honduran TPS holders with children reported in a 2016 survey that they had at least one U.S. born child.
- Salvadoran, Honduran, and Haitian TPS beneficiaries live in nearly 282,000 households, about 38 percent of which have mortgages. About a third (32 percent) of Salvadoran and Honduran TPS holders support U.S. born loved ones here.

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SPECIAL REPORT

Deportation in the Time of Cholera: DHS's Mixed Response to Haiti's Earthquake (/research/deportation-time-cholera-dhss-mixed-response-haitis-earthquake)

May 26, 2011

The dramatic announcement on May 17, 2011 that the Department of Homeland Security (DHS) would extend Temporary Protected Status (TPS) for another eighteen months to Haitians, including those who...

(https://www.americanimmigrationcouncil.org/sites/default/files/research/Royce_-_Haiti_Deportation_052611.pdf)



FACT SHEET

Granting Refuge: Temporary Protected Status (TPS) for Haitians in the United States (/research/granting-refuge-temporary-protected-status-tps-haitians-united-states)

January 22, 2010

Following the devastating earthquake which struck Haiti on January 12, Homeland Security Secretary Janet Napolitano on January 15... (http://www.dhs.gov/ynews/releases/pr_1263595952516.shtm)

(https://www.americanimmigrationcouncil.org/sites/default/files/research/Granting_Refuge_012210.pdf)