Temporary Protected Status: An Overview

Temporary Protected Status (TPS) is a temporary immigration status provided to nationals of certain countries experiencing problems that make it difficult or unsafe for their nationals to be deported there.[1] TPS has been a lifeline to hundreds of thousands of individuals already in the United States when problems in a home country make their departure or deportation untenable. This fact sheet provides an overview of how TPS designations are determined, what benefits TPS confers, and how TPS beneficiaries apply for and regularly renew their status.

As of March 31, 2025, the last date for which publicly available data exists, there were approximately 1.3 million people with TPS living in the United States.[2] Since that date, the Trump administration has terminated or announced its intent to terminate TPS for over 1 million of these individuals, including over 50,000 Hondurans, over 330,000 Haitians and over 600,000 Venezuelans.[3] As of late August 2026, just four countries retain TPS.[4]

On June 25, 2026, in the case *Mullin v. Doe*, the Supreme Court significantly restricted the ability of courts to hear TPS-related lawsuits, ruling that courts had no jurisdiction to hear challenges arguing that the Secretary of Homeland Security had broken the law in granting, renewing, or terminating TPS; although the court kept alive the possibility of more narrow lawsuits brought on constitutional grounds.[5]

What is Temporary Protected Status?

Congress created Temporary Protected Status (TPS) in the Immigration Act of 1990.[6] It is a temporary immigration status provided to nationals of specifically designated countries that are confronting an ongoing armed conflict, environmental disaster, or extraordinary and temporary conditions.[7] It provides a work permit and protection from deportation to foreign nationals from those countries who are in the United States at the time the U.S. government makes the designation.[8]

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:[9]

- An ongoing armed conflict, such as a civil war, that poses a serious threat to the personal safety of returning nationals;
- An environmental disaster, such as an earthquake, hurricane, or epidemic, that results in a substantial but temporary disruption of living conditions, and because of which the foreign state is temporarily unable to adequately handle the return of its nationals; or

- 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 these nationals 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 merits a TPS designation.[10] The Secretary must consult with other government agencies prior to deciding to designate a country—or part of a country—for TPS.[11] Although these other agencies are not specified in the statute, these consultations usually involve the Department of State, the National Security Council, and occasionally the Department of Justice (DOJ). The Secretary's decision as to whether or not to designate a country for TPS in the first place is not subject to judicial review, according to immigration law. However, some courts have found that the Secretary's decision to terminate TPS may be subject to limited judicial review in narrow circumstances.

How long are TPS designations?

The law does not define the term "temporary" or otherwise limit the amount of time for which a country can have a TPS designation.[12] A TPS designation can be made for 6, 12, or 18 months at a time.[13] At least 60 days prior to the expiration of TPS, the Secretary must decide whether to extend or terminate a designation based on an assessment of whether the conditions in the foreign country have materially improved such that the reason for the initial grant of TPS no longer applies.[14] If the Secretary determines that the conditions in the country have not improved and the grounds for the initial designation remain in effect, then the Secretary must renew TPS.[15] If the Secretary determines that conditions in the country have improved such that the temporary conditions are no longer preventing safe return, then the Secretary must terminate TPS.[16]

Decisions to begin, extend, or terminate a TPS designation must be published in the Federal Register.[17] If the Secretary fails to make the decision to extend or terminate TPS at least 60 days in advance of expiration, the designation is automatically extended for at least six months (the Secretary may also choose to automatically extend TPS by 12 or 18 months).[18] Once a TPS termination is published, it goes into effect no fewer than 60 days after the notice is published in the Federal Register, but DHS has discretion to provide a longer "orderly transition" period.[19] Until 2025, DHS typically provided an orderly transition period of between six to eighteen months, rather than the minimum 60 days.[20]

Who is eligible for TPS?

In order to qualify for TPS, an individual must:[21]

- Be a national of the foreign country with a TPS designation (or if stateless, have last habitually resided in a country with a TPS designation);

- Be continuously physically present in the United States since the effective date of designation;

- Have continuously resided in the United States since a date specified by the Secretary of Homeland Security; and
- Not be inadmissible to the United States or be barred from asylum for certain criminal or national security-related reasons, such as individuals who have been convicted of any felony or two or more misdemeanors.

Nationals of a designated country do not automatically receive TPS but instead must register during a specific registration period and pay significant fees. In addition, an individual's immigration status at the time of application for TPS has no effect on one's eligibility, nor does the previous issuance of an order of removal.

What does TPS authorize a noncitizen to do?

An individual who is eligible for TPS must register by submitting an application to USCIS, an agency of the Department of Homeland Security (DHS).[22] If a person demonstrates eligibility and USCIS grants TPS, that person receives temporary protection from deportation and temporary authorization to work in the United States.[23] TPS beneficiaries have also been eligible in the past for advance parole, which provides permission to travel abroad and return to the United States, but they must apply for it separately.[24] In July of 2022, USCIS discontinued the use of advance parole for TPS recipients and instead created "Form I-512T, Authorization for Travel by a Noncitizen to the United States," a TPS-specific travel document that uses a separate legal authority to permit TPS recipients to travel outside the United States and be admitted on their return.[25]

Beneficiaries are not eligible for any public assistance by virtue of their TPS status.[26]

Which countries have TPS?

As of August 25, 2026, the following 4 countries were designated for TPS, and the designation had not yet expired:[27]

- El Salvador (Indefinitely extended as of September 9, 2026)[28]
- Lebanon (Valid through November 27, 2026)[29]
- Sudan (Extended until October 19, 2026)[30]
- Ukraine (Extended until October 19, 2026)[31]

Which countries have had TPS in the past?

Since TPS was created, 25 countries or parts of countries have had TPS designations that are now terminated.

- Afghanistan (Expired July 14, 2025)[32]

- Angola (Expired March 29, 2003)[33]
- Bosnia-Herzegovina (Expired February 10, 2001)[34]
- Burundi (Expired May 2, 2009)[35]
- Burma (Expired August 7, 2026)[36]
- Cameroon (Expired August 4, 2025)[37]
- Ethiopia (Expired August 18, 2026)[38]
- Guinea (Expired May 21, 2017)[39]
- Guinea-Bissau (Expired September 10, 2000)[40]
- Haiti (Expired July 27, 2026)[41]
- Honduras (Expired September 8, 2025)[42]
- Province of Kosovo (Expired December 8, 2000)[43]
- Kuwait (Expired March 27, 1992)[44]
- Lebanon (Expired April 9, 1993)[45]
- Liberia (1991 designation expired September 28, 1999)[46]
- Liberia (2002 designation and 2004 redesignation expired October 1, 2007)[47]
- Liberia (2014 designation expired May 21, 2017)[48]
- Montserrat (Expired February 27, 2005)[49]
- Nepal (Expired August 5, 2025)[50]
- Nicaragua (Expired September 8, 2025)[51]
- Rwanda (Expired December 6, 1997)[52]
- Sierra Leone (Expired May 21, 2017)[53]
- Somalia (Expired August 14. 2026)[54]
- South Sudan (Expired August 7, 2026)[55]

- Syria (Expired July 27, 2026)[56]
- Venezuela (2023 designation terminated April 7, 2025)[57]
- Venezuela (2021 designation terminated November 7, 2025)[58]
- Yemen (Expired July 20, 2026)[59]

Does TPS create a path to permanent residence or citizenship?

TPS does not provide beneficiaries with a separate path to lawful permanent residence (a green card) or citizenship.[60] However, a TPS recipient who otherwise is eligible for permanent residence may apply for that status.[61]

Generally, a person who entered the United States without inspection is not eligible to apply for permanent residence. Six federal appellate circuits previously ruled on this issue.[62] Three federal appellate circuits (the Sixth, Eighth, and Ninth Circuits) ruled that a person with valid TPS status could adjust status to lawful permanent residence if otherwise eligible through a family-based or employment-based petition, even if he or she entered the United States without inspection. Three other federal appellate courts (the Third, Fifth, and Eleventh Circuits) ruled that a TPS recipient who entered without inspection is not eligible to adjust to permanent residence.

In June 2021, the Supreme Court subsequently ruled that a TPS recipient who entered the United States without inspection is not eligible to adjust to permanent residence from within the United States, overturning the prior decisions by the Sixth, Eighth, and Ninth Circuits.[63] In order to gain permanent resident status, a TPS recipient who initially entered the United States without inspection must depart the country to have a visa processed at a consular post. For many TPS holders, a departure to have a visa interview would trigger bars to re-entry for up to 10 years.

Alternatively, some TPS recipients may be eligible to adjust status if they were granted advance permission from USCIS (referred to as advance parole), traveled abroad, and were paroled back into the United States. After July 2022, when USCIS discontinued the use of advance parole for TPS recipients, some TPS recipients may become eligible to adjust status after being granted authorization to travel through a TPS-specific travel document and then being inspected and admitted upon their return.[64] However, this pathway may have become more difficult following a 2026 Board of Immigration Appeals decision determining that similar authorized departures may trigger a bar on reentry for individuals present in the United States without legal status for at least six months.[65]

What happens to a TPS beneficiary when a TPS designation ends?

TPS beneficiaries return to the immigration status that the person held prior to receiving TPS, unless that status has expired or the person has successfully acquired a new immigration status.[66] TPS beneficiaries who entered the United States without inspection and who are not eligible for other immigration benefits, for example, would

return to being undocumented at the end of a TPS designation and become subject to removal.

How are "Deferred Enforced Departure" and "Extended Voluntary Departure" related to TPS?

Deferred Enforced Departure (DED) is very similar to TPS but derives from the president's foreign policy authority rather than from a specific law.[67] There are no explicit criteria for making DED decisions or for determining who would be eligible for DED once a designation is determined. Just like TPS holders, DED beneficiaries receive a work permit and stay of deportation; however, they are not permitted to travel abroad.[68]

As of August 2026, there is only one group designated for DED: certain residents of Hong Kong (effective until February 5, 2027).[69]

Certain Palestinian nationals were designated for DED for 18 months in February 14, 2024.[70] As the DED designation was not extended, this protection expired on August 13, 2025. Similarly, certain Lebanese nationals were granted DED through January 26, 2026,[71] and certain Liberian nationals were granted DED through June 30, 2026.[72] Because President Trump did not extend these designations, the grants of DED have now expired.

Extended Voluntary Departure (EVD) was the predecessor to TPS prior to the Immigration Act of 1990. It was a discretionary authority used by the Attorney General (at a time when the Immigration and Naturalization Service was housed in DOJ) to give nationals of certain countries experiencing turbulent country conditions temporary permission to remain in the United States. Congress eliminated EVD with the creation of TPS.

Endnotes

1. 8 U.S.C. § 1254a.
2. *Temporary Protected Status and Deferred Enforced Departure* (Washington, DC: Congressional Research Service, updated August 28, 2025), p. 8, https://www.congress.gov/crs-product/RS20844.
3. Termination of the Designation of Haiti for Temporary Protected Status, 90 Fed. Reg. 28760 (July 1, 2025, https://www.federalregister.gov/documents/2025/07/01/2025-12224/termination-of-the-designation-of-haiti-for-temporary-protected-status; Termination of the October 3, 2023 Designation of Venezuela for Temporary Protected Status, 90 Fed. Reg. 9040 (Feb. 5, 2025), https://www.federalregister.gov/documents/2025/02/05/2025-02294/termination-of-the-october-3-2023-designation-of-venezuela-for-temporary-protected-status; Termination of the 2021 Designation of Venezuela for Temporary Protected Status, 90 Fed. Reg. 43225 (Sept. 9, 2025), https://www.federalregister.gov/documents/2025/09/08/2025-17087/termination-of-the-2021-designation-of-venezuela-for-temporary-protected-status; Termination of the Designation of Cameroon for Temporary Protected Status, 90 Fed. Reg. 23697 (June 4, 2025), https://www.federalregister.gov/documents/2025/06/04/2025-10236/termination-of-the-designation-of-cameroon-for-temporary-protected-status; Termination of the Designation of Nepal for Temporary Protected Status; 90 Fed. Reg. 24151 (June 6, 2025), https://www.federalregister.gov/documents/2025/06/06/2025-10363/termination-of-the-designation-of-nepal-for-temporary-protected-status; Termination of the Designation of Afghanistan for Temporary Protected Status, 90 Fed. Reg. 20309 (May 13, 2025), https://www.federalregister.gov/documents/2025/05/13/2025-08201/termination-of-the-designation-of-afghanistan-for-temporary-protected-status; Termination of the Designation of Nicaragua for Temporary Protected Status, 90 Fed. Reg. 30086 (July 8, 2025), https://www.federalregister.gov/documents/2025/07/08/2025-12688/termination-of-the-designation-of-nicaragua-for-temporary-protected-status; Termination of the Designation of Honduras for Temporary Protected Status, 90 Fed. Reg. 30089 (July 8, 2025), https://www.federalregister.gov/documents/2025/07/08/2025-12621/termination-of-the-designation-of-honduras-for-temporary-protected-status; Termination of the Designation of Syria for Temporary Protected Status, 90 Fed. Reg. 45398 (Sept. 22, 2025) https://www.federalregister.gov/documents/2025/09/22/2025-18322/termination-of-the-designation-of-syria-for-temporary-protected-status.
4. U.S. Citizenship and Immigration Services, *Temporary Protected Status*, https://www.uscis.gov/humanitarian/temporary-protected-status (last updated August 24, 2026).
5. *Mullin v. Doe*, No. 25-1083, 609 U.S. ___ (June 25, 2026), *available at* https://www.supremecourt.gov/opinions/25pdf/25-1083_f204.pdf.
6. Immigration Act of 1990, Pub. L. 101-649, 104 Stat. 4978 (1990).
7. Ibid.
8. Ibid.
9. 8 U.S.C. § 1254a(b). Note that TPS designations based on an environmental disaster also require the foreign state to officially request designation. This request is not required for TPS designations for other reasons.
10. 8 U.S.C. § 1254a.
11. Ibid.
12. Nardine Saad, "Judge rules ending protections for Venezuelan and Haitian migrants is unlawful," *BBC News*, Sept. 5, 2025, https://www.bbc.com/news/articles/c3vzknpywp4o.
13. 8 U.S.C. § 1254a(b). Occasionally, the Secretary will re-designate a country for TPS, which is different from an extension in that it updates the physical presence requirement to allow those foreign nationals who have arrived in the United States since the previous designation to apply for TPS.
14. Ibid.
15. Ibid.
16. Ibid.
17. 8 *C.F.R.* § 244.19.
18. Ibid.
19. 8 U.S.C. § 1252a(b)(3)(B).
20. *Compare*, e.g., Termination of the Designation of El Salvador for Temporary Protected Status, 83 Fed. Reg. 2654 (Jan. 18, 2018) ("To provide time for an orderly transition, the Secretary is terminating the designation effective on September 9, 2019, which is 18 months following the end of the current designation.") with Termination of the Designation of Somalia for Temporary Protected Status, 91 Fed. Reg. 1547 (Jan. 14,

2026) ("[T]he termination of the Somalia Temporary Protected Status designation will be effective 60 days from this notice's publication date").

21. 8 *C.F.R.* § 244.
22. Ibid. § 244.7.
23. 8 U.S.C. § 1254a(a).
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25. U.S. Citizenship and Immigration Services, "Policy Memorandum PM-602-0188, Rescission of Matter of Z-R-Z-C- as an Adopted Decision; agency interpretation of authorized travel by TPS beneficiaries," July 1, 2022, https://www.uscis.gov/sites/default/files/document/memos/PM-602-0188-RescissionofMatterofZ-R-Z-C-.pdf; U.S. Citizenship and Immigration Services, "Temporary Protected Status," https://www.uscis.gov/humanitarian/temporary-protected-status, *last accessed* June 13, 2023.
26. 8 U.S.C. § 1254a(f).
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32. Termination of the Designation of Afghanistan for Temporary Protected Status, 90 Fed. Reg. 20309 (May 13, 2025), https://www.federalregister.gov/documents/2025/05/13/2025-08201/termination-of-the-designation-of-afghanistan-for-temporary-protected-status.
33. Termination of the Designation of Angola for Temporary Protected Status, 68 Fed. Reg. 3896 (Jan. 27, 2003), https://www.federalregister.gov/d/03-1994.
34. Termination of the Designation of Bosnia-Herzegovina for Temporary Protected Status, 65 Fed. Reg. 52789 (Aug. 30, 2000), https://www.federalregister.gov/d/00-22138.
35. Termination of the Designation of Burundi for Temporary Protected Status; Automatic Extension of Employment Authorization Documentation for Burundi TPS Beneficiaries, 72 Fed. Reg. 61172 (Oct. 29, 2007), https://www.federalregister.gov/d/E7-21128.
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46. Termination of Designation of Liberia Under the Temporary Protected Status Program, 64 Fed. Reg. 41463 (July 30, 1999), https://www.aila.org/ins-64-fr-41463-07-30-99.
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