

Temporary Protected Status (TPS) – May 2021



Update: On Saturday, May 22, 2021, the Department of Homeland Security (DHS) announced their decision to redesignate **Haiti for TPS**. This long-awaited decision not only protects current TPS holders, but also enables first-time initial applicants to apply for TPS protection and the possibility of receiving a work permit, among other benefits. Additionally, a long overdue [Federal Register](#) notice regarding the designation of **Burma for TPS** has been published.

What is Temporary Protected Status (TPS)? TPS is a temporary, renewable, program for people in the United States who are temporarily unable to return safely to their country.

How have people applied for TPS and what are the benefits? TPS applicants can only apply for the first time during a designated country-specific time period. TPS beneficiaries are issued a work permit and protection against deportation. They can also travel with an approved advance parole document. *As of now*, TPS may be held by people from El Salvador, Honduras, Haiti, Nepal, Nicaragua, Sudan, South Sudan, Syria, Venezuela, Yemen, Somalia **and now** Burma.

What does the redesignation of Haiti mean? This designation not only enables current TPS holders to re-register for TPS during the registration period, but also allows for **initial first-time** applications to be submitted if, among other eligibility requirements, the applicant can demonstrate they are;

- Haitian nationals (or those without nationality who last resided in Haiti); and
- are currently residing in the U.S. as of May 21, 2021.

This also means Haiti has been designated for TPS for **18 months**, and during this period, TPS holders will be protected from removal. Though we are awaiting an official publication in the **Federal Register** before eligible individuals are able to apply, this administration's decision to redesignate Haiti is a **HUGE** win.

What does the decision to designate Burma for TPS mean? Burma has been designated for TPS for **18 months**, until **November 25, 2022**. This will allow Burmese nationals (and individuals without nationality who last resided in Burma) currently residing in the United States to be protected from removal through that date if they are granted TPS.

How can Burmese apply for TPS? During the initial registration period, **May 25, 2021** through **November 22, 2021**, Burmese are eligible to submit their initial TPS (Form I-821) application and apply for a work permit and permission to travel (advance parole).

What are the eligibility requirements? Burmese nationals or individuals without nationality who last resided in Burma must **file** for TPS within the *180 day* registration period and demonstrate, among other eligibilities:

- continuous residence in the United States as of **March 11, 2021**; and
- continuous physical presence in the United States since **May 25, 2021**.

Burmese who qualify should contact a trusted legal service provider to apply. Only individuals who register timely during this initial 180-day registration period will qualify to keep renewing their status in the future, if TPS is extended further. There are very limited circumstances when a late filing is permitted, so you should not wait!

What can I do if I have more questions? If you think you are eligible, you should consult with a trusted immigration attorney or accredited representative to explore their options and come out to our weekly committee meetings to join us in fighting for pathways to citizenship for all.

For more information, please contact:

Queens
Vicente Mayorga
(347) 243-9571

Brooklyn
Yorelis Vidal
(917) 474-5482

Staten Island
Saul Lopez
(347) 998-0069

Long Island
Javier Guzman
(917)939-6532

Westchester
(914) 948-8466

Rodman Serrano
(631)530-2434