



MASSACHUSETTS IMMIGRANT AND REFUGEE ADVOCACY COALITION:
Temporary Protected Status (TPS): An Overview

A key principle in U.S. immigration policy is that we will not return migrants to a country where their life or freedom will be threatened. The U.S. can provide safe haven on an individual basis, as asylum or refugee status for those who are fleeing persecution, or to groups of people for humanitarian reasons.

Temporary Protected Status (TPS) is a form of protection established under the Immigration and Nationality Act of 1990 (INA). The Secretary of Homeland Security can provide TPS to citizens of a country for 6 to 18 months at a time if there is serious armed conflict; a natural disaster; or if “extraordinary and temporary conditions” would prevent them from returning home. If at the end of that period conditions have not improved, TPS can be extended.¹

Only people who were already in the U.S. at the time of TPS designation can qualify. **TPS recipients are not on a path to a green card or citizenship.** Instead, TPS is a temporary benefit and TPS holders can obtain work authorization. TPS holders are also able to apply for special permission to travel and return to the U.S. If TPS is denied or ends, individuals can be subject to deportation.

WHO IS COVERED BY TPS?

The most recent data available from U.S. Citizenship and Immigration Services (USCIS) on the number of TPS holders in the country is from March 2021. Massachusetts data shows the number of TPS holders from each country as of November 29, 2018. There are currently **411,326** TPS holders in the U.S. The latest numbers for Massachusetts show **17,424** approved TPS holders living in the Commonwealth. These numbers do not include the 323,000 individuals in the country from Venezuela which USCIS estimates are eligible to receive TPS , the 100,000 Haitians expected to benefit from the recent redesignation or the 1,600 individuals from Burma estimated to be eligible, which would bring the total number of TPS holders to over 800,000. ²

¹Congressional Research Service, (updated May 2021) Temporary Protected Status and Deferred Enforced Departure. <https://fas.org/sgp/crs/homesecc/RS20844.pdf>

² Id. at p. 5. Axelrod, T. (2021). The Hill. Biden Administration Renews Temporary Protected Status for Haiti. <https://thehill.com/latino/554928-biden-administration-renews-tps-for-haiti>

³Id. at p. 6. As the report explains, prior numbers reported by USCIS included TPS holders who had also obtained a green card or become US citizens, whereas these most recently reported numbers exclude those individuals. As a result, these numbers are lower than previously reported data. This same report includes the total number for TPS holders in Massachusetts (using the same analysis) as 13,160. The numbers included in the table for Massachusetts are drawn from separately available data that provides more detailed state-specific information.

⁴USCIS. (2018). Total number of current I-821 Temporary Protected Status (TPS) individuals. https://www.uscis.gov/sites/default/files/document/data/Total_number_of_current_I-821_Temporary_Protected_Status_TPS_individuals_as_of_November_29_2018.xlsx

COUNTRY	MOST RECENT DESIGNATION DATE	CURRENT EXPIRATION DATE	TOTAL TPS HOLDERS IN THE U.S.	TOTAL INDIVIDUALS APPROVED FOR TPS IN MASSACHUSETTS
Burma	March 12, 2021	November 25, 2022	Estimated at 1,600	Unknown
El Salvador	March 9, 2001	October 4, 2021*	198,420	10,397
Haiti	May 22, 2021	November 2022 (under new designation)	40,865	4,561
Honduras	January 5, 1999	October 4, 2021*	60,350	1,300
Nepal	June 24, 2015	October 4, 2021*	10,160	776
Nicaragua	January 5, 1999	October 4, 2021*	3,200	30
Somalia	September 16, 1991	September 17, 2021	385	17
South Sudan	November 3, 2011	May 2, 2022	80	0
Sudan	November 4, 1997	October 4, 2021*	550	12
Syria	March 29, 2012	September 30, 2022	3,945	309
Venezuela	March 9, 2021	September 9, 2022	Estimated at 323,000	unknown
Yemen	September 3, 2015	September 3, 2021	1,385	18
		TOTAL TPS HOLDERS (Not inclusive of Burma, Venezuela, and recently designated Haitians)	319,465	17,420

* Termination of TPS for these countries had been announced but TPS has been extended as a result of ongoing court litigation (Ramos, et al v. Nielsen, et al).

HOW ARE TPS HOLDERS CONTRIBUTING TO OUR COMMUNITIES?

Most TPS holders are not recent arrivals to this country. Many have children born in the U.S. who are now in high school or college and have little, if any, connection to their parents' country of origin. Salvadoran TPS holders have lived in the US for over **22 years** and Haitian TPS holders an average of 17 years.⁵ They also contribute greatly to the Massachusetts economy, with **5,600 TPS holders employed as essential workers** in healthcare, the food industry, transportation, and critical services.⁶ By one estimate, TPS holders in Massachusetts hold well over \$200 million in spending power.⁷ Without TPS holders from Haiti and Central America, the state economy would lose an estimated \$646 million per year.⁸



Redesignation of Haiti

On May 22, 2021, President Biden redesignated TPS for all Haitians present in the U.S. as of May 21, 2021. This redesignation is expected to extend protection to an additional 100,000 Haitians, and was made in recognition of the political crisis, human rights abuses, security concerns, and the impacts of the COVID-19 pandemic including lack of access to food, water, and healthcare.

Newly added designations: Venezuela and Burma

Venezuela's economic crisis, humanitarian circumstances, and the threat of political persecution have created the need for protection for Venezuelans in the U.S. and led to the designation of TPS in early March 2021 for an initial period of 18 months. The military coup and security forces' violence towards civilians has caused a complex and deteriorating humanitarian crisis in Burma which led to the designation of TPS in March 2021 for an initial designation period of 18 months. Estimates of eligible individuals are included above, but no data is yet available on approved petitions

WHY HAS TPS STRETCHED OUT FOR SO LONG IN SOME COUNTRIES?

Continuing or worsening conditions in countries of origin have led to many TPS designations being extended. The Northern Triangle of Central America - consisting of El Salvador, Honduras, and Guatemala - is an extremely violent region. A survey from Doctors Without Borders drawing from testimonies of migrants and asylum seekers from Central America reported high levels of violence and ill-treatment in their home countries and along the migration route, reporting that more than **60%** of respondents were exposed to a violent situation prior to leaving their country.¹⁰ El Salvador continues to have one of the highest homicide rates in the world.¹¹

Haiti continues to face many ongoing crises including rising food insecurity and malnutrition, and a prolonged socio-political crisis. COVID-19 has exacerbated these humanitarian needs due to the economic shutdown and the limited and underfunded nature of the Haitian health infrastructures, which have especially affected the most vulnerable families.¹²

⁵ Center for American Progress. Svajlenka, N. (2019). What We Know About Immigrants with Temporary Protected Status. <https://www.americanprogress.org/issues/immigration/news/2019/02/11/466081/know-immigrants-temporary-protected-status/>

⁶ Center for American Progress. Svajlenka, N. & Jawetz, T. (2020). A Demographic Profile of TPS Holders Providing Essential Services During the Coronavirus Crisis. <https://www.americanprogress.org/issues/immigration/news/2020/04/14/483167/demographic-profile-tps-holders-providing-essential-services-coronavirus-crisis/>

⁷ New American Economy. (2019). Immigrants and the Economy in Massachusetts. <https://www.newamericaneconomy.org/locations/massachusetts/>

⁸ CAP Immigration Team. (2017). TPS Holders in Massachusetts.

https://cdn.americanprogress.org/content/uploads/2017/10/19130146/101717_TPSFactsheet-MA.pdf



WHAT DO WE DO NOW?

MIRA strongly supports the continuation of the TPS program as a moral and humanitarian imperative. The U.S. has a proud tradition of providing safe harbor to people fleeing dangerous conditions, and TPS is an important mechanism to do this. At the same time, we support legislation to enable TPS holders, especially if they have lived in the U.S. for many years, to apply for permanent residency.

Thus, in the 117th Congress, we strongly support the Dream and Promise Act, which would protect both Dreamers and TPS holders and provide them with pathways to citizenship.¹² Legislation to the same effect was filed in the Senate as two separate bills: the DREAM Act and the SECURE Act – the latter of which covers TPS holders.¹³ The Dream and Promise Act was passed by the U.S. House of Representatives in March 2021, with support from all nine members of the Massachusetts delegation. However, bills that would provide a pathway to citizenship for TPS holders are currently stalled in the Senate. **We need to keep urging Congress to permanently protect TPS holders this year.**

**Original factsheet written by Marion Davis in 2020 .
Updated by Samira Schreiber in May 2021.**

⁹ US Department of Homeland Security. (2021). Secretary Mayorka Designates Haiti for Temporary Protected Status for 18 months. <https://www.dhs.gov/news/2021/05/22/secretary-mayorkas-designates-haiti-temporary-protected-status-18-months>

¹⁰ Doctors Without Borders/Medecins Sans Frontieres. (2020). Migration crisis in the Americas. <https://www.doctorswithoutborders.org/migration-crisis-americas>

¹¹ Overseas Security Advisory Council. (2020). El Salvador 2020 Crime Rate <https://www.osac.gov/Country/ElSalvador/Content/Detail/Report/b4884604-977e-49c7-9e4a-1855725d032e>

¹² UNICEF. (2021). Haiti: Humanitarian Situation Report January- December 2020. <https://reliefweb.int/report/haiti/haiti-humanitarian-situation-report-january-december-2020>

¹³ National Immigration Forum. (2021). Bill Summary: American Dream and Promise Act. <https://immigrationforum.org/article/bill-summary-american-dream-and-promise-act-of-2021/>

¹⁴ American Immigration Council. (2021). DREAM Act (<https://www.americanimmigrationcouncil.org/research/dream-act-overview>); Cardin Senate. (2021). Cardin, Van Hollen, Schumer Reintroduce the SECURE Act for TPS Recipients. <https://www.cardin.senate.gov/newsroom/press/release/cardin-van-hollen-schumer-reintroduce-the-secure-act-for-tps-recipients>