



GROSSMAN YOUNG & HAMMOND
TRANSCENDING BORDERS™

4922 Fairmont Avenue, Suite 200
Bethesda, MD 20814
240.403.0913

8737 Colesville Road, Suite 500
Silver Spring, MD 20910
301.917.6900

TPS Extended

On November 4, 2019, DHS unveiled a Federal Registry notice that extended Temporary Protected Status (“TPS”) for beneficiaries of six eligible countries, including El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan. Beneficiaries from these six countries account for 98% of all TPS applicants. Prior to the announcement, the humanitarian status was expected to expire as soon as January 4, 2020, and March 24, 2020 for Sudanese beneficiaries. The extension provides a legal status, and all accompanying entitlements, such as work authorization, for TPS recipients until January 4, 2021.

TPS was created in 1990 to provide temporary humanitarian relief to foreign nationals already residing in the United States, whose repatriation is deemed to be too dangerous, due to the instability caused by ongoing armed conflict or natural disaster. Approximately 317,000 people claim this status in the United States today. TPS beneficiaries receive a reprieve from deportation and authorization to work in the U.S. and travel internationally.

Opponents of TPS believe that this temporary humanitarian policy has become overextended. Indeed, many beneficiaries have been granted TPS for decades. For instance, Somalian beneficiaries have been granted TPS since 1991. The Trump Administration has begun to repeal TPS, arguing that it has been overextended and that conditions in home countries have stabilized: repatriation is now safe.

However, immigrant advocates argue that conditions have not improved enough to ensure safe repatriation. TPS should reflect the complexity of humanitarian emergencies, which often take decades to resolve. The Federal Registry notice reflects the debate between opponents and advocates of TPS as it is a result of pending lawsuits in federal court. For instance, in *Saget v. Trump and Ramos, et al. v. Nielsen, et al.*, the courts enjoined DHS from terminating TPS, pending further resolution. The Federal Registry notice states that if the Administration wins in court, TPS will be revoked. In this scenario, beneficiaries from El Salvador would have a year to depart the United States. Beneficiaries from the other five countries would be required to depart within 120 days.