



Temporary Protected Status for Salvadorans: What We Know

Updated January 10, 2018

1. **What is TPS?** TPS, or Temporary Protected Status, was codified by Congress in § 244 of the Immigration and Nationality Act in 1990. It provides a temporary immigration status to nationals of specifically designated countries that are experiencing an ongoing armed conflict, an environmental disaster, or extraordinary and temporary conditions. Beneficiaries of TPS receive work authorization and a stay of deportation. The Secretary of Homeland Security, in consultation with other agencies, has discretion to designate which countries merit a TPS designation.
2. **What did the Department of Homeland Security announce?** On January 8, 2018, Secretary of Homeland Security Kirstjen M. Nielsen [announced](#) her decision to end the TPS status of El Salvador. The effective date of this announcement will be delayed by 18 months “to allow for an orderly transition.” The TPS designation will terminate on **September 9, 2019**. This announcement follows similar announcements signaling the end of TPS designation for Sudan ([announced](#) Sep. 2017), Haiti ([announced](#) Nov. 2017), and Nicaragua ([announced](#) Nov. 2017). In her announcement on Monday, Secretary Nielsen explained that the conditions which originally called for the designation no longer exist.
3. **How will beneficiaries of TPS be impacted by the ending of TPS designation?** About 200,000 Salvadorans with TPS are at risk of losing their immigration status if they do not obtain some other legal status prior to the effective date ending TPS.
4. **What does this announcement mean?** About 200,000 Salvadorans have been living legally in the U.S. for close to 17 years. According to the [American Immigration Council](#), one third of Salvadorans with TPS have mortgages and 88% participate in important workforce sectors. About 193,000 U.S. born children have at least one parent with TPS. Individuals with TPS are at risk of [losing their immigration status](#) next year if they do not obtain some other legal status prior to **September 9, 2019**.
5. **What should a current TPS holder do now?** Beneficiaries of TPS who wish to remain in the U.S. should seek alternative visas. Individuals should consult with an immigration attorney about what visa options they may be eligible for. Each person’s situation and immigration history will vary. Some TPS holders may be eligible for asylum. Others may be able to “adjust” their status to “lawful permanent resident” (obtain a green card) through a qualifying relationship with a U.S. citizen, like a spouse. The American Immigration Council has published a [practice advisory](#) about adjustment of status for TPS holders. Individuals should be aware of “notarios” and refuse advice from individuals who seek to take advantage of the TPS holder.
6. **Where can I find more resources?** More information can also be found on our [website](#).

The goal of this document is to provide general information regarding TPS and is not meant to act as a substitute to legal advice from an attorney.