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Fact Sheet: Temporary Protected Status for Venezuela

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On Friday, March 8, Secretary of Homeland Security Alejandro N. Mayorkas [designated Venezuela for Temporary Protected Status \(TPS\)](#) for 18 months until September 9, 2022.

What is Temporary Protected Status (TPS)?

[Temporary Protected Status \(TPS\)](#) is a temporary immigration status granted by the Secretary of the Department of Homeland Security (DHS) to individuals who are unable to return home safely due to civil war, natural disaster, or other conditions or circumstances preventing their return to their home country.

During the designated TPS period, TPS holders cannot be deported from the United States and cannot be detained by DHS on the basis of their immigration status. TPS holders are eligible for an employment authorization document (EAD) and for travel authorization.

What does the designation of TPS for Venezuela mean?

This new designation enables Venezuelan nationals (and individuals without nationality who last habitually resided in Venezuela), who currently live in the United States to file initial applications for TPS.

What is the difference between the designation period and the registration period?

The registration period determines how long individuals have to apply for TPS. Under Venezuelan TPS, individuals can apply from March 9, 2021 until September 9, 2022.*

The designation period determines how long TPS and the protections under TPS are valid. Venezuelan TPS is valid from March 9, 2021 until September 9, 2022.

*This is an update from an [August 4, 2021 Federal Register notice](#). DHS is extending the initial registration periods from 180 days to 18 months for applicants who do not currently have TPS under the TPS designation for Venezuela. This extension to 18 months is the same time period of the TPS designation itself, allowing an individual to apply as an initial applicant any time during the 18-month designation period.

Who is eligible for TPS under the Venezuelan designation?

Venezuelan nationals and individuals without nationality who last regularly lived in Venezuela, who currently live in the United States may file initial applications for TPS. Individuals must prove that they resided continuously in the United States since March 8, 2021.

Individuals desiring TPS must file an application with U.S. Citizenship and Immigration Services before September 9, 2022. They may also apply for Employment Authorization Documents (EADs) and for travel

authorization. All individuals applying for TPS undergo security and background checks as part of determining eligibility. More details about the eligibility criteria to submit an initial TPS application and apply for an EAD can be found in the [Federal Register Notice](#) (FRN).

Is TPS status given automatically?

No, TPS is not automatic. People must apply, pay a filing fee, and pass immigration screening. The application process can be complicated and we recommend contacting a licensed immigration attorney.

Can I apply for TPS if I am in removal proceedings?

Yes, you can apply for TPS if you are in removal proceedings or if you have an appeal before the Board of Immigration Appeals (BIA).

How long will eligible individuals have protection under TPS?

TPS is a temporary status. The Secretary of Homeland Security Alejandro N. Mayorkas is designating Venezuela for TPS for 18 months, until September 9, 2022. TPS status can, however, be extended.

What is Deferred Enforced Departure (DED)?

[Deferred Enforced Departure \(DED\)](#) is in the president's discretion to authorize as part of his constitutional power to conduct foreign relations. Although DED is not a specific immigration status, individuals covered by DED are not subject to removal from the United States, usually for a designated period of time.

What is the difference between TPS and DED?

Both TPS and DED protect Venezuelans against removal and allow the opportunity for a work permit. DED is an administrative stay of removal ordered by the President of the United States. It is not an immigration status, such as TPS, but can provide for the opportunity for a work permit. Each process has different fees and requirements.

	TPS	DED
Dates of validity	March 9, 2021 – September 9, 2022	January 20, 2021 – July 20, 2022
Registration period	March 9, 2021 – September 9, 2022	None (automatic to those that qualify)
Currently set to end on	September 9, 2022	July 20, 2022
Continuous residence in U.S.	Since March 8, 2021	Since January 20, 2021
Continuous physical presence in U.S.	Since March 9, 2021	Since January 20, 2021

Should I apply for both TPS and DED?

Venezuelan applicants do not need to apply for both programs. Both TPS and DED protect Venezuelans against removal and allow the opportunity for a work permit. If unsure of what to do, speak to an immigration attorney for more information.

There is no application to apply for DED. Anyone who meets the requirements (below) automatically has DED until it lapses or is terminated. All Venezuelans that meet the following requirements qualify for DED and can apply for a work permit:

- Venezuelan national or person without nationality who last habitually resided in Venezuela;
- Present and residing in the U.S. as of January 20, 2021

Get Help

The Immigrant Law Center of Minnesota (ILCM) provides free immigration legal services to low-income immigrants in a variety of immigration matters. For more information about how we can assist you, please visit our website at www.ilcm.org or call us at (651) 641-1011.