

TPS FOR VENEZUELANAS FAQ

On October 3, 2023, the Department of Homeland Security published a **Federal Register Notice** announcing the extension and redesignation of Venezuela for Temporary Protected Status (TPS) for 18 months.



FEDERAL REGISTER NOTICE INFORMATION:



What is Temporary Protected Status (TPS)?

TPS is a status designated by the US Department of Homeland Security (DHS) that people from certain countries can apply for if their countries are affected by war, natural disasters, or other conditions that make it dangerous to return. TPS temporarily protects people from being deported to their countries of origin during a specific period of time, usually 18 months. People with TPS can also apply for Employment Authorization Documents (EADs) (work permits) that will allow them to work legally during those time periods. People with TPS can also apply for "advance parole," which allows them to travel outside the US and return.



Do I qualify for TPS?

TPS is available only to people from certain countries designated by DHS who have been in the US since certain dates. Most recently, DHS announced an updated designation of Venezuela so that people from Venezuela who arrived in the US on or before July 31, 2023, may be eligible to receive TPS. Certain people from 15 other countries might also be eligible to apply for TPS if they arrived in the US before dates specified by DHS.

When can I apply for TPS?

The application period for Venezuelans who arrived between March 8, 2021, and July 31, 2023, **is open from October 3, 2023 to April 3, 2025**. TPS application periods for people from other countries will vary.

Does TPS lead to permanent legal status and US citizenship?

TPS does not make anyone eligible for permanent resident (green card) status or US citizenship. To qualify for a green card, an immigrant must be: 1) sponsored by a family member who is either a US citizen or permanent resident, 2) sponsored by an employer, or 3) qualify for asylum or other humanitarian protections that lead to permanent status. People with TPS can still apply for asylum or any other immigration benefit for which they qualify.

Are there any reasons why I might not be approved?

Someone can be denied TPS if they cannot prove that they were in the US before the registration period ends (for Venezuelans, July 31, 2023). TPS can also be denied if someone has been convicted of certain crimes, was involved in torture or persecution of others, or committed certain other immigration violations.

How do I apply for TPS (and EAD)? I-821 Form:

The application for TPS is the I-821 form, which can be filed by mail or in many cases online. The application is 13 pages long, including several pages that ask detailed questions about the applicant's immigration history, criminal record, and involvement in torture or persecution of others. People who want an EAD must also file an I-765 form, which also can be filed by mail or online.



What documents do I need to apply for TPS (and EAD)?

Both the TPS and EAD applications require additional documentation, including identify and civil documents, travel records, proof of continuous residency, and more. Detailed information about required TPS documentation can be found here.



EAD Applications



TPS Document Information





How much does it cost to apply for TPS (and EAD)?

The application fee for TPS (using the I-821 form) is \$50. The fee for EAD (using the I-765 form) is \$410 plus an \$85 biometric fee for most applicants. Someone applying for TPS and a work permit at the same time would need to pay a total of \$545. People who cannot afford these fees can ask DHS to waive the fees by filing for I-912. I-912 fee-waiver forms must be filed by mail.

Form
I-765
Online:



How can I apply?

Everyone eligible for TPS, including children, should begin compiling documents and supporting materials for your application.

Applying for TPS can be complex. Please seek guidance from qualified non-profit immigration legal services, if possible. This resource guide lists national and statewide immigration legal services agencies you can visit for support through the process.

Resource Guide:



***CAUTION:**

Please be careful of notarios and scams. A notary public in the U.S. is not the same as a notario in Latin America or other countries. A notary public in the U.S. cannot give legal advice or represent you in immigration cases. Only a licensed attorney or accredited representative can provide legal help with immigration or other legal matters. Do not sign anything you do not understand. Do not pay money for promises. Ask questions and ask for official credentials. Get help from reputable nonprofit organizations or attorneys.

While we encourage everyone eligible for TPS applicants to apply as soon as possible using the resources shared above, The Illinois Department of Human Services (IDHS) is also working to set up TPS Application support system. Further information about this system will be shared in the coming weeks for those who require additional support.

***The information provided in this flyer does not, and is not intended to, constitute legal advice. All information is for general informational purposes only.**

