

DHS Announces Extension and Redesignation of Venezuela for Temporary Protected Status (TPS)

Prepared by Jill Marie Bussey

BACKGROUND

On September 20, 2023, Department of Homeland Security (DHS) Secretary Mayorkas [announced](#) the extension and redesignation of Venezuela for Temporary Protected Status (TPS) for 18 months, from March 11, 2024, to September 10, 2025, due to [extraordinary and temporary conditions in Venezuela](#). DHS cited Venezuela's increased instability and lack of safety due to the enduring humanitarian, security, political, and environmental conditions as the reason for the decision. Global Refuge was among advocates calling for this decision and [commended](#) the Secretary for the decision.

Venezuela was initially designated for TPS in March 2021. There are currently over 242,700 Venezuelan nationals protected by TPS in the U.S. This redesignation decision may benefit an additional 472,000 Venezuelans.

TPS is a temporary immigration status that provides protection from deportation and eligibility for work authorization for certain eligible nationals of the designated country. Individuals must register for TPS and apply for work authorization to receive benefits. If TPS is granted, the beneficiary may also seek a TPS travel authorization document which may be used for travel abroad.

WHO IS ELIGIBLE FOR TPS UNDER THIS EXTENSION AND REDESIGNATION:

This TPS extension and redesignation allows Venezuelan nationals (as well as individuals having no nationality who last habitually resided in Venezuela) who have been continuously residing in the U.S. since July 31, 2023, and who have been continuously physically present in the U.S. since October 3, 2023, to apply or re-register for TPS.

With some [notable exceptions](#), TPS applicants must also demonstrate that they are admissible to the U.S. Individuals who have been convicted of a felony or two or more misdemeanors in the U.S., those who are subject to any of the [mandatory bars to asylum](#), and those who have been found inadmissible as an immigrant under applicable grounds in INA section 212(a), including non-waivable criminal and security-related grounds may not be eligible for TPS.

Re-registration for Current TPS Holders

Current TPS holders must re-register during the re-registration period. They may also apply to renew their work authorization, or Employment Authorization Document (EAD).

- The 60-day re-registration period is open from January 10, 2024 – March 10, 2024.
- Only individuals who have previously registered for TPS under the prior designation and whose application has been granted can re-register.
- If USCIS approves the application(s), they will be valid through September 10, 2025.

Note: Individuals with an application for TPS and/or associated EAD application that was still pending as of October 3, 2023, do not need to file either application again.

TPS Redesignation & Initial Applications

The redesignation of TPS for Venezuela allows more recently arrived Venezuelan nationals to register for TPS protections and apply for an EAD.

- New applicants must apply during the initial registration period open October 3, 2023 – April 2, 2025.
- Applicants must demonstrate continuous residence in the U.S. since July 31, 2023 and also demonstrate that they have been continuously physically present in the U.S. since October 3, 2023.
- Applicants must also meet [eligibility standards](#) (INA section 244(c)(1)–(2)).
- Applicants must pay the USCIS filing fees or seek a fee waiver. The current filing fee for initial TPS applications is \$50 and \$30 for biometrics. Payment can be made online or, if filing by mail, in one single check or money order or two separate checks or money orders.
- If USCIS approves the application(s), they will be valid through April 2, 2025.

WHAT IS REQUIRED FOR TPS REGISTRATION

Individuals seeking Temporary Protected Status apply by submitting [Form I-821](#) with the U.S. Citizenship and Immigration Services (USCIS) along with filing fees and supporting documentation. TPS applicants seeking work authorization should file [Form I-765](#) and filing fees with the TPS registration application. The filing fee for Form I-765 is the same for initial applicants and individuals re-registering for TPS. Individuals who apply online will pay \$470 for work authorization and those applying on paper will pay \$520. Complete fee schedule can be found [here](#). TPS and associated work authorization applications may be submitted online unless the applicant is seeking a fee waiver ([Form I-912](#)).

Fee waivers are available for certain individuals who cannot afford the USCIS filing fees. However, the fee waiver request and associated TPS and EAD applications must be submitted by mail. Detailed and updated information about the application process is found on [USCIS' TPS for Venezuela webpage](#).

TPS Re-registration

Generally, USCIS does not require additional evidence or documentation for a TPS re-registration application. However, we recommend applicants include evidence that the applicant continues to reside in the U.S. Such documentation may include copies of:

- Current lease or rental agreement
- Current utility bills or insurance payments
- Current school records

There is no filing fee for individuals re-registering for TPS, however, a biometrics fee of \$30 must be submitted in the form of a check or money order. Applicants seeking an extension of work authorization with TPS reregistration must also submit the filing fee associated with Form I-765.

TPS Initial Applications

When filing an initial TPS application, the applicant must submit:

- Evidence demonstrating the applicant's identity and establishing that they are a national of Venezuela or that they have no nationality and last habitually resided in Venezuela. Such evidence may include copies of:
 - Passport
 - Birth certificate
 - National identity documents
- Date of entry evidence to show when the applicant entered the U.S. Evidence may include copies of:
 - [I-94, Arrival Record](#)
 - Entry stamp on the passport page
 - Notice to Appear
- Continuous Residence (CR) evidence to demonstrate that the applicant has been in the U.S. since the CR date specified (July 31, 2023). Evidence may include copies of:
 - Rent or lease agreements
 - Utility bills such as cell phone bills, insurance payments
 - School records
 - Attestation by shelter, church, union, or other organization that can confirm services related to residence
- Filing fees or fee waiver request as indicated above

Note: Any document that is not in English must be accompanied by a complete English translation.

WHAT IS THE CURRENT PROCESSING TIME FOR VENEZUELAN TPS AND EAD APPLICATIONS

TPS Re-registration

USCIS is [currently processing](#) Venezuela TPS re-registration applications in 5–6 months. For EADs, USCIS has automatically extended through March 10, 2025, the validity of certain EADs issued under the TPS designation for Venezuela. Visit USCIS' [TPS for Venezuela webpage](#) for a listing of EADs that have been automatically extended.

TPS Initial Applications

USCIS is [currently processing](#) initial Venezuelan TPS applications in 7.5 months. When an EAD application is submitted to USCIS with the TPS application, USCIS will typically process both applications concurrently. If USCIS grants TPS, the EAD should follow the TPS grant.

ARE VENEZUELANAS ELIGIBLE FOR BENEFITS IN THE U.S.

Generally, most non-citizens who are present in the U.S. on Temporary Protected Status alone are not eligible to apply for federal mainstream benefits, such as cash assistance through Supplemental Security Income (SSI) or Temporary Assistance for Needy Families (TANF), health insurance through Medicaid, and food assistance through Supplemental Nutrition Assistance Program. Individuals with parole may qualify for state benefits in some cases.

OTHER IMPORTANT THINGS TO CONSIDER

1. Individuals with a pending asylum application (Form I-589) can and **should** consider applying for TPS, if they are eligible to do so.
2. Individuals who currently hold another temporary immigration status such as VHP humanitarian parole, F-1 student status, H-2A or H-2B temporary work visas can and **should** consider applying for TPS, if they are eligible to do so.

Note: We strongly recommend consulting with a qualified immigration legal services provider when considering TPS and how seeking TPS may interact with other immigration benefits applications. A listing of non-profit immigration legal services providers can be found at www.immigrationadvocates.org/legaldirectory/.