

## **5 FACTS: COURT DECISION ON TEMPORARY PROTECTED STATUS (TPS)**

TPS is a temporary U.S. immigration status created by Congress and administered by the Department of Homeland Security (DHS) to eligible residents of countries undergoing natural disasters, armed conflict, or extraordinary conditions preventing their safe return to their home countries. TPS holders are provided with work authorization and are protected from deportation for fixed periods of time.

Between 2017-2018, the Trump administration attempted to terminate TPS, threatening protections for over **300,000 immigrants across the U.S.**, and nearly **900 immigrants throughout Rhode Island**.<sup>1</sup>

### **In 2018, a lawsuit was filed against the Trump administration for wrongfully ending TPS.**

**1**

In 2018, TPS holders from El Salvador, Haiti, Nicaragua, and Sudan filed a lawsuit arguing that the Trump administration's decision to end TPS was based on illegal procedures and motivated by racist anti-immigrant sentiments.

While the case was being decided, TPS holders from these countries were able to keep their work authorization and protection from deportation.

### **In September 2020, the court decided in favor of the Trump administration.**

**2**

On September 14, 2020, a federal court ruled in favor of the Trump administration. This means the Trump administration can move forward to end TPS.

### **The changes to TPS do not go into effect immediately.**

**3**

This news does not change TPS immediately. TPS holders cannot face deportation or lose work authorization until 2021. The earliest TPS can be terminated for individuals from Haiti Nicaragua, and Sudan is **March 2021**. For individuals from El Salvador, TPS cannot be terminated until **November 2021**.

### **The decision may be appealed- Stay updated.**

**4**

It is possible that this ruling will be appealed, which could result in further extensions of the March and November 2021 deadlines.

For updates and the latest news, follow these organization: [American Immigration Council](#), [Informed Immigrant](#), and [Immigration Impact](#).

### **Seek legal advice.**

**5**

TPS holders should consult an attorney or an accredited representative to review legal options and receive legal help during this time. Individuals should not take so-called "legal advice" from a Notary or anyone other than an attorney or accredited representative.

Dorcas International Institute of Rhode Island offers legal consults and services at low-cost. Call (401-784-8600) or see [diiri.org/citizenship-immigration/](https://diiri.org/citizenship-immigration/) for more information and/or to book an appointment.

<sup>1</sup> <https://fas.org/sgp/crs/homesec/RS20844.pdf>