

# Temporary Protected Status

**Warning:** Some of this information may be outdated due to the 2025 executive orders. Please consider consulting an immigration lawyer if you have questions about your situation. You can also [read the President's executive orders](#).

## What is Temporary Protected Status (TPS)?

The U.S. government can give [Temporary Protected Status \(TPS\)](#) to people from certain countries if it's too dangerous for them to go back home. This could be because of a war, a natural disaster like a hurricane or earthquake, an outbreak of disease, or other serious problems. The Secretary of Homeland Security is the person who decides which countries get TPS.

People who are already in the United States and are from a country with TPS may be able to apply. Some people who don't have a nationality but last lived in one of these countries might also qualify.

If someone gets TPS, they:

- Cannot be forced to leave the U.S.
- Can apply for permission to work
- Might be allowed to travel outside the U.S. and come back
- Cannot be arrested just because of their immigration status

TPS is **temporary**, which means it doesn't last forever and doesn't give someone a green card (permanent resident status). But if you have TPS, you can still:

- Apply for a visa (nonimmigrant status)
- Try to get a green card if you are eligible
- Apply for other kinds of immigration help

**Important to Know:**

Even if you apply for TPS, you still have to meet all the rules for any other immigration benefit you want. If you're denied asylum or another benefit, it doesn't automatically mean you'll be denied TPS—but it could be a factor.

## Eligibility Requirements

You may be able to get TPS if:

- You are from a country that has been approved for TPS, or you lived in that country most of the time before coming to the U.S.
- You apply during the correct time — either the first time TPS is offered or during a re-registration period. If you missed the first chance to apply, you may still be able to apply late (see the "Filing Late" section).
- You have been living in the United States without leaving since the date your country was most recently approved for TPS.
- You have stayed in the U.S. since the date listed for your country's TPS program. (You can find your country's date on the TPS website.)

**Note:** It's okay if you left the U.S. for a short time, as long as the trip was brief, casual, and innocent. But when you apply or re-apply, you must tell USCIS about every time you left the U.S. They will decide if your trip was okay under the rules.

## What to File

### How to Apply for Temporary Protected Status (TPS)

When you apply for TPS, you must include the right forms, documents, and either the fee or a request to not pay the fee. You should also check your country's TPS page for special instructions.

### Forms You Need

To apply or re-apply for TPS, you must fill out [Form I-821](#). People from certain countries can now fill it out online.

If you want to work in the U.S., you can also fill out [Form I-765](#) to ask for permission to work (called an **Employment Authorization Document (EAD)** or **work permit**

). You can send the Form I-765 with your Form I-821, or send it later. Sending both together may help you get your work permit faster. You can also file both forms online.

If you know there is something in your background that could stop you from getting TPS, you might need to fill out Form I-601 to ask for a waiver (a special request to forgive that problem). You don't need to do this again if it was already approved in the past for TPS.

Be sure to check the instructions for each form separately as you're filling them out and to see if you need to pay any fees. All of these forms are free to download and can be found at: [www.uscis.gov/forms](http://www.uscis.gov/forms).

## **What Documents (Evidence) You Need**

### **For First-Time Applicants**

You must include papers that prove:

- Who you are and what country you're from
- When you came to the U.S.
- That you've been living in the U.S. since a certain date (check your country's TPS page for the date)

If your documents are not in English, you must also include a full translation into English and a notarized letter from the translator saying they are fluent in your language and that they wrote a correct translation.

### **Proving Your Identity and Nationality**

Try to give primary evidence first. If you can't, you can give secondary evidence or an affidavit (a letter that explains why you don't have certain documents).

#### **Primary Evidence (Best Option):**

- A copy of your passport
- A copy of your birth certificate with photo ID

- A national ID card with your picture or other official document from your home country (including ones from your country's embassy in the U.S.)

### **If You Don't Have Primary Evidence:**

You must send an affidavit that includes:

- Proof you tried to get those documents but couldn't
- A statement explaining why you couldn't get them and what country you are from

USCIS might ask you to come in for an interview and give more proof.

### **Secondary Evidence (If You Have It):**

- A naturalization certificate (even if it doesn't have a photo)
- A baptismal certificate showing your or your parent's nationality
- School or medical records showing your nationality
- Immigration documents showing who you are
- Letters (affidavits) from people who know you and can say where and when you were born, and your parents' nationality

**Note:** Being born in a TPS country doesn't always mean you are a national of that country. Check your country's rules about nationality.

### **Proof of When You Entered the U.S.**

You can show:

- A copy of your passport
- Your I-94 travel record
- Or the same documents listed in the section below

### **Proof That You've Been Living in the U.S.**

You can show:

- Work records
- Rent receipts or utility bills
- School records (for you or your children)
- Medical records
- Letters from churches, unions, or organizations that you know.

See the [instructions for Form I-821](#) for more examples.

## Fees

You must pay a fee if you are applying for TPS for the first time. You don't have to pay the Form I-821 fee if you are re-applying.

Other fees depend on:

- Whether you want a work permit (EAD)
- Whether you need to ask for a waiver

You must check the [Form I-821 page](#) carefully for instructions and a chart that shows the fees. If you don't pay the correct fees or include a fee waiver, USCIS will reject your application.

You can also check the [USCIS Fee Schedule](#) page.

## Fee Waiver (If You Can't Afford the Fees)

If you can't pay the fees for your forms, fill out [Form I-912](#) to ask not to pay (fee waiver). You can also write a letter asking for a fee waiver, including evidence that you're eligible for the waiver.

Learn more about how to ask for a fee waiver on the Form I-912 page or the [Fee Waiver Information](#) page.

- If you're **re-applying** and your fee waiver is denied before the deadline, it's fastest to reapply and pay the fee before the deadline. If you miss the deadline, you can still apply late if you have a good reason.

# When and Where to File

For information about when and where you must file your TPS application, please see the country specific rules found [here](#). Learn more about the general application process in our article titled Applying for Temporary Protected Status (TPS).

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