

# ARE YOU A NATIONAL OF VENEZUELA? YOU MAY BE ELIGIBLE FOR TEMPORARY PROTECTED STATUS (TPS)

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If you are a Venezuelan national in the U.S. and you do not have permanent immigration status here, you may be able to apply for Temporary Protected Status (TPS), which would allow you to live and work legally in the U.S. for as long as Venezuela is designated a TPS country.

## **What is Temporary Protected Status?**

Temporary Protected Status (TPS) is a status that allows you to live and work legally in the U.S. It is valid for 18 months at a time, allows you to apply for a work permit and a Social Security Number, and may be renewed for as long as Venezuela is designated a TPS country.

## **When can I apply for TPS?**

It depends on if you had TPS before or not.

If you had TPS based on the March 9, 2021 announcement (Venezuela 2021), you can apply during the 60-day period from January 10, 2024 through March 10, 2024.

If you are applying for the first time based on the October 3, 2023 announcement (Venezuela 2023), you can apply during the 18-month period from October 3, 2023 through April 2, 2025.

## **If I am approved, how long will TPS be valid for?**

If you are renewing under Venezuela 2021, TPS will be valid through September 10, 2025.

If you are applying under Venezuela 2023, TPS will be valid through April 2, 2025.

The U.S. government could choose to extend TPS for Venezuela. If it does get extended and you were approved during either of the current registration periods, you would need to renew your registration during the next registration period.

## **If I filed for Venezuela 2021 TPS and don't have a decision yet, do I need to reapply now?**

No, if your Venezuela 2021 TPS was properly filed and is still pending, you do not need to reapply. If your application is approved, it will be valid through September 10, 2025.

## **If I was approved for Venezuela 2021 TPS, what happens when my current work permit expires?**

The Department of Homeland Security is automatically extending your current work permit to March 10, 2025, if you have a Venezuelan TPS work permit that expires on either September 9, 2022 or March 10, 2024. But you have to renew your Venezuela 2021 TPS in order to keep your TPS and your authorization to work.

## **If I am applying for TPS, what documents will I need?**

In order to **renew** your Venezuela 2021 TPS registration, you will need proof that you registered and were approved.

In order to **apply** for Venezuela 2023 TPS, you will need to prove three things: (1) that you are Venezuelan, (2) that you were residing in the U.S. on July 31, 2023, and (3) that you have been physically present in the U.S. since October 3, 2023. (If you left the U.S. between July 31, 2023 and October 3, 2023, speak with an immigration expert.)

### (1) Proof of Venezuelan Nationality

- Passport, birth certificate with photo identification, OR national identity document from Venezuela with your photo and/or fingerprint.

### (2) Date of Entry

- Passport entry stamp, I-94 Arrival/Departure Record, OR other documents that prove your entry to the U.S. on or before July 31, 2023.

### (3) Residence in U.S. from on or before July 31, 2023 to the present:

- Employment records (pay stubs, W-2 forms, IRS tax transcripts, state verification of filing state taxes, letters from your employer, statements from banks with whom you have done business).
- Rent receipts, utility bills (gas, electric, phone, etc.), receipts, or letters from companies showing dates you received service.
- School records (report cards, letters, etc.) from schools you or your children attended in the U.S., showing names of the schools and dates of attendance.
- Hospital or medical records for treatment you or your children received, showing name of the medical facility or physician and the dates of treatment or hospitalization.
- Attestations by churches, unions or other organizations, concerning your residence and identifying you by name.
- Other miscellaneous documents, such as birth certificates of your children born here, dated bank transactions and wire transfers, letters, U.S. Social Security card, driver's license, Selective Service card, contracts, mortgages, insurance policies, etc.

### **If I am from Venezuela, is TPS guaranteed for me?**

No. Even if you are from Venezuela, you would be ineligible for TPS if:

1. you have not continuously resided in the U.S. since March 8, 2021 (for Venezuela 2021) or since July 31, 2023 (for Venezuela 2023);
2. you have been convicted of any felony or 2 or more misdemeanors committed in the United States.
  - a. If you have ever been arrested, cited or convicted of an offense, you should obtain a Certificate of Disposition for each matter, and you should speak to an immigration law expert before applying for TPS.

### **Which forms will I need to file?**

To apply for TPS, you will need to file at least Form I-821. If you would like an employment authorization document (work permit), you will need to also file Form I-765. If you would like to request a fee waiver, you will need to file Form I-912 (or ask for a fee waiver in writing). You might need to file Form I-601, if certain “inadmissibility grounds” apply in your case.

The forms can all be downloaded for free from the USCIS website ([www.uscis.gov](http://www.uscis.gov)), but there are filing fees that must be paid, unless the fees are waived.

### **Here is a summary of the dates:**

	<b>Venezuela 2021</b>	<b>Venezuela 2023</b>
<b>When you need to be residing since</b>	Mar. 8, 2021	July 31, 2023
<b>When to renew</b>	Jan. 10, 2024 – Mar. 10, 2024	Oct. 3, 2023 – Apr. 2, 2025
<b>When your new work permit would expire</b>	Sep. 10, 2025	Apr. 2, 2025
<b>When your current work permit is automatically extended until</b>	Mar. 10, 2025, for Venezuelan TPS work permits expiring on either Sep. 9, 2022 or Mar. 10, 2024	(Not applicable)

For more information, please call the Legal Aid Society’s Immigration Helpline from 9:00am-5:00pm Monday through Friday at (844) 955-3425.