



## Fact Sheet: Temporary Protected Status for South Sudan

*This fact sheet is current as of September 7, 2023.*

On September 5, 2023, Secretary of Homeland Security Alejandro N. Mayorkas announced the extension and redesignation of South Sudan for Temporary Protected Status for 18 months, from November 4, 2023, through May 3, 2025. Instructions for applying for TPS are included in the [Federal Register Notice](#) (FRN) on TPS South Sudan.

### What is temporary protected status (TPS)?

The Secretary of the Department of Homeland Security (DHS) grants TPS to individuals from designated countries who are unable to return home safely due to conditions or circumstances in their home countries.

During the designated TPS period, TPS holders can live in the United States and should not be detained by DHS solely based on their immigration status. TPS holders are eligible to apply for an employment authorization document (EAD) and for travel authorization.

### What does the extension of TPS for South Sudan mean?

If you have TPS as a South Sudan national, you can apply to extend TPS. To receive the TPS extension, you must re-register for TPS in the re-registration period from September 6, 2023, through November 6, 2023. If approved, your TPS and EAD will be extended until May 3, 2025.

### What does the redesignation of TPS for South Sudan mean?

If you are a South Sudanese national and have never had TPS, you can now apply for TPS for the first time. If you have lived in the United States continuously since September 4, 2023, you can apply for TPS between September 6, 2023, through May 3, 2025. You must also meet the eligibility requirements.

### How do I apply for TPS?

People interested in TPS must file an application with U.S. Citizenship and Immigration Services and pay the filing fee. They may also apply for an EAD and for travel authorization. All individuals applying for TPS undergo security and background checks as part of determining eligibility. More details about the eligibility criteria to submit an initial TPS application and apply for an EAD can be found in the [Federal Register Notice](#).

### Is TPS status given automatically?

No, TPS is not automatic. People must apply, pay a filing fee, and pass immigration screening. There are some facts that will make a person ineligible for TPS. For example, people with certain criminal convictions or who violated the human rights of others are not eligible for TPS. People who are inadmissible under certain sections of the law may have to file a waiver before they can be approved for TPS status. The application process can be complicated, and we recommend working with an immigration attorney.

**How long will eligible individuals have protection under TPS?**

TPS is a temporary status. The Secretary of Homeland Security Alejandro N. Mayorkas is extending and redesignating South Sudan for TPS until May 3, 2025.

**I have South Sudan TPS, can I apply to extend it?**

Yes. Under South Sudan TPS, individuals who already have TPS must apply before November 6, 2023 to extend their TPS.

**I do not have TPS, can I apply for the first time?**

Yes. Individuals applying for TPS for the first time can apply during the entire initial registration period from September 6, 2023, to May 3, 2025.

**I have been in the United States since before September 4, 2023, but I have left for short periods of time. Can I apply for TPS?**

Maybe. Whether you still qualify for TPS depends on the length and nature of your time outside of the United States. Please contact an immigration attorney to discuss your situation further.

**I am from South Sudan, and I came to the United States as a refugee. Do I need to apply for TPS?**

No. People who are in the United States with refugee status can live and work here and apply for permanent resident status after one year. They do not require TPS.

**I am from South Sudan, and I now have a green card. Do I need to apply for TPS?**

No. As a permanent resident, you have legal status in the United States and are on a path to citizenship. You do not need and would not qualify for TPS.

**I am from South Sudan, and I am in deportation proceedings. Can I apply for TPS to avoid deportation?**

Yes. A person in removal proceedings can apply for TPS, and if approved, can request that the judge put the removal case on hold until TPS is approved, and then for the time it is in effect.

**I am from South Sudan, and the police have given me tickets here. Can I apply for TPS?**

Maybe. You should show your tickets, police reports, and court records to an immigration lawyer before filing. A person with two misdemeanors or one felony conviction cannot get TPS. A lawyer can tell you if the tickets will be a problem.

**Which people from South Sudan should consider applying for TPS?**

People who are here with no legal status should consider applying. Also, those who are here on a visa that is for a limited time or that does not allow employment might also benefit by receiving Temporary Protected Status. Having TPS does not hurt anything.

## **Get Help**

The Immigrant Law Center of Minnesota (ILCM) provides free immigration legal services to low-income immigrants in a variety of immigration matters. For more information about how we can assist you, please visit our website at [www.ilcm.org](http://www.ilcm.org) or call us at (651) 641-1011.