Could Venezuelans Gain TPS Eligibility?

Wednesday, July 31, 2019

The Trump Administration has been trying to put an end to Temporary Protected Status (TPS) for many countries including: El Salvador, Haiti, Honduras, Nepal and Sudan. Upon legal challenges to TPS termination, the courts have delayed termination at least temporarily. The Secretary of the Department of Homeland Security (DHS) generally has the authority to designate a foreign country for TPS when it is not safe for individuals to return home due to ongoing armed conflict, an environmental disaster, or other extraordinary and temporary conditions. But Congress is taking TPS into its own hands for a “new” group – Venezuelans who are currently living in the United States.

The Venezuela TPS Act of 2019 is co-sponsored by two representatives from Florida – Darren Soto (D) and Mario Diaz-Blart (R). It passed the House by a majority, but not a veto-proof two-thirds majority.

Venezuela’s economy is in a collapse and food shortages are reported. Representative Diaz-Balart stated that TPS would protect those “who have fled the oppressive Maduro dictatorship . . . until it is safe for them to return . . .” The Congressional Budget Office reports that approximately 200,000
Venezuelans who are seeking refuge in the United States would be eligible for TPS. DHS reports Venezuelan asylum applications have grown exponentially since 2014.

President Donald Trump and Acting Director of USCIS, Ken Cuccinelli, had denied requests to institute TPS for Venezuela through an administrative process despite the Administration’s condemnation of the conditions in Venezuela. The hope is that the bi-partisan support in the House will lead to the Senate taking up and passing the bill. The bill was introduced in the Senate by Senator Robert Menendez (D-N.J.) in February and does have some bi-partisan support, including from Senator Marco Rubio (R-Fla.)

Jackson Lewis P.C. © 2020

Source URL: https://www.natlawreview.com/article/could-venezuelans-gain-tps-eligibility